

THURSDAY, JUNE 1, 2000
EIGHTY-FIFTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Ron Campbell, Nashville, Tennessee.

Representative Ridgeway led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Sharp; illness.

Representative Turner (Shelby); family death.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 357: Rep(s). Todd and Newton as prime sponsor(s).

House Bill No. 2667: Rep(s). Bowers, Miller and Pleasant as prime sponsor(s).

House Bill No. 2759: Rep(s). Cooper as prime sponsor(s).

House Bill No. 2790: Rep(s). Garrett as prime sponsor(s).

House Bill No. 3067: Rep(s). McMillan as prime sponsor(s).

House Bill No. 3360: Rep(s). Chumney as prime sponsor(s).

House Bill No. 3364: Rep(s). Rhinehart and Garrett as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Walker was/were removed as sponsor(s) of **House Bill No. 2326**.

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1811; passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Bill No. 1811 -- Public Funds and Financing - Increases amount of penalty for nonpayment of check or money order from 1 to 2 percent of amount of instrument. Amends TCA Title 9; Title 45; Title 56 and Title 67. by *Henry, *Henry. (*HB1920 by *Walley, *Whitson, *Kisber, *Winningham, *Ferguson)

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 877, 880, 881, 882, 883, 884, 886, 887, 888, 889, 890 and 891; all adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Joint Resolution No. 877 -- Memorials, Personal Occasion - Kitty Wells, 80th birthday. by *Haynes, *Rochelle.

Senate Joint Resolution No. 880 -- Memorials, Retirement - Phillip W. Watkins. by *Herron.

Senate Joint Resolution No. 881 -- Memorials, Death - John Latham, Jr. by *Herron.

Senate Joint Resolution No. 882 -- Memorials, Sports - University of Tennessee at Martin Rodeo Team. by *Herron.

Senate Joint Resolution No. 883 -- Memorials, Academic Achievement - Michelle Brook Parham, Valedictorian, Dresden High School. by *Herron.

Senate Joint Resolution No. 884 -- Memorials, Interns - Benjamin W. Wrather. by *Davis L.

Senate Joint Resolution No. 886 -- Memorials, Interns - Paul David. by *Rochelle.

Senate Joint Resolution No. 887 -- Memorials, Retirement - Dr. Patricia Person Ray. by *Person, *Leatherwood.

Senate Joint Resolution No. 888 -- Memorials, Interns - Jonathan Berretta. by *Person, *Leatherwood.

Senate Joint Resolution No. 889 -- Memorials, Recognition - Brian Carroll. by *McNally, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsa, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, J, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 890 -- Memorials, Interns - Eric Cloud. by *McNally.

Senate Joint Resolution No. 891 -- Memorials, Academic Achievement - Brandi Shea Stephens, Salutatorian, Dresden High School. by *Herron.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Langster was recognized in the Well with Reps. Lois DeBerry, Walley, McAfee and the Davidson County delegation to introduce Rev. David Vaughn for remarks.

RULES SUSPENDED

Rep. Langster moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 800 out of order, which motion prevailed.

House Joint Resolution No. 800 -- Memorials, Retirement - Reverend David Vaughn, Sr. by *Langster, *Naifeh, *Hargrove, *Pruitt, *Rinks, *Jones U (Shelby), *DeBerry L, *Ridgeway, *Pinion, *McAfee.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Langster with the request that all members voting aye be added as sponsors, the resolution was adopted.

A motion to reconsider was tabled.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for June 6, 2000:

House Resolution No. 263 -- Memorials, Recognition - Jerry Mercer. by *Brooks.

House Resolution No. 267 -- Memorials, Recognition - Denny Brewington. by *Garrett.

House Joint Resolution No. 808 -- Memorials, Public Service - Johnson County Cancer Society's Relay for Life. by *Mumpower.

House Joint Resolution No. 810 -- Memorials, Death - Derward Trent. by *Ford S.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for June 6, 2000:

Senate Joint Resolution No. 845 -- Memorials, Recognition - Coors Brewing Company and its Memphis plant. by *Dixon.

Senate Joint Resolution No. 877 -- Memorials, Personal Occasion - Kitty Wells, 80th birthday. by *Haynes, *Rochelle.

Senate Joint Resolution No. 880 -- Memorials, Retirement - Phillip W. Watkins. by *Herron.

Senate Joint Resolution No. 881 -- Memorials, Death - John Latham, Jr. by *Herron.

Senate Joint Resolution No. 882 -- Memorials, Sports - University of Tennessee at Martin Rodeo Team. by *Herron.

Senate Joint Resolution No. 883 -- Memorials, Academic Achievement - Michelle Brook Parham, Valedictorian, Dresden High School. by *Herron.

Senate Joint Resolution No. 884 -- Memorials, Interns - Benjamin W. Wrather. by *Davis L.

Senate Joint Resolution No. 886 -- Memorials, Interns - Paul David. by *Rochelle.

Senate Joint Resolution No. 887 -- Memorials, Retirement - Dr. Patricia Person Ray. by *Person, *Leatherwood.

Senate Joint Resolution No. 888 -- Memorials, Interns - Jonathan Berretta. by *Person, *Leatherwood.

Senate Joint Resolution No. 889 -- Memorials, Recognition - Brian Carroll. by *McNally, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsa, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, J, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 890 -- Memorials, Interns - Eric Cloud. by *McNally.

Senate Joint Resolution No. 891 -- Memorials, Academic Achievement - Brandi Shea Stephens, Salutatorian, Dresden High School. by *Herron.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3365, was/were referred to the Delayed Bills Committee.

House Bill No. 3365 -- Utilities, Utility Districts - Increases the membership of the board of commissioners of the Ocoee water utility district from three to five members. Amends TCA Section 7-82-307. by *Newton. (*SB3348 by *Miller J)

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 190** -- Welfare - Permits use of state money as matching funds for individual development accounts (IDA); authorizes state to expend up to \$125,000 as matching funds and \$20,000 for contracting with state-wide non-profit organization to facilitate further use of IDA projects. Amends TCA Title 71, Chapter 3, Part 10. by *Dixon, *Harper, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsa, *Ford J, *Fowler, *Graves, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, J, *Springer, P, *Wilder, *Williams, *Womack. (HB319 by *Pruitt, *DeBerry J, *Eckles, *Arriola, *Armstrong, *Jones, S., *Ferguson, *Windle, *Langster, *Caldwell, *Odum, *Turner (Hamilton), *Patton, *McDaniel, *DeBerry L, *Bowers, *Brooks, *Cooper B)

***Senate Bill No. 2958** -- Sewage - Specifies conditions under which single-home on-site aerobic sewage treatment plant may be utilized. Amends TCA Title 68, Chapter 221 and Title 69, Chapter 3. by *Haynes. (HB2998 by *Arriola)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3363 -- Oakdale -- Local Bill Held on House Desk

CAPTION BILLS REFERRED

June 1, 2000

Pursuant to **Rule No. 47**, the following Caption Bill(s), 2802 held on the Clerk's desk were referred to the following Committee(s):

House Bill No. 2802 -- Pensions and Retirement Benefits – House Finance, Ways and Means Committee

CONSENT CALENDAR

***House Joint Resolution No. 620** -- Memorials, Congress - Urges reauthorization of Surface Mining Control and Reclamation Act through 2010; urges that all funds collected for Rural Abandoned Mine Program be appropriated directly to USDA to ensure such funds are utilized for reclamation purposes. by *Lewis, *Rhinehart, *Ferguson, *Stulce, *Curtiss, *Winningham, *Sharp, *Goins, *Baird, *Caldwell, *Windle, *Fraleigh, *Wood, *Hargrove, *McAfee, *Walker (Rhea).

***House Joint Resolution No. 786** -- Memorials, Government Officials - Urges department of education, state board of education, and local school boards to implement curriculum of flag history, etiquette and customs pertaining to display and use of flag. by *Sands, *Fitzhugh, *Curtiss, *Maddox.

House Bill No. 3307 -- Courts, New Jurisdiction - Subject to local approval, confers upon general sessions court in Morgan County concurrent jurisdiction with circuit court over domestic relations, mental health commitment and probate cases. Amends TCA Section 16-15-5004. by *Windle, *Buck, *Cole (Dyer). (*SB3289 by *Davis L)

On motion, House Bill No. 3307 was made to conform with **Senate Bill No. 3289**; the Senate Bill was substituted for the House Bill.

***Senate Joint Resolution No. 667** -- Memorials, Government Officials - Urges commissioner of health to develop quality care incentive plan for Medicaid-participating nursing homes and submit necessary legislation to implement such plan. by *Womack.

***Senate Joint Resolution No. 536** -- Memorials, Congress - Urges provision of lifetime health care to military retirees of 65 years and older. by *Cooper, *Dixon, *Kyle, *Williams.

House Bill No. 3362 -- Linden - Subject to local approval, clarifies that election to fill vacancy occurs at next regular municipal election. Amends Chapter 365 of the Private Acts of 1923; as amended. by *Tidwell.

House Joint Resolution No. 802 -- Memorials, Congratulations - Cathy Perkins, Dillard's - Knoxville News-Sentinel Student Citizen award recipient. by *Buttry.

House Joint Resolution No. 803 -- Memorials, Public Service - Patrick Hazari, Dillard's - Knoxville News-Sentinel Student Citizen award recipient. by *Buttry.

House Joint Resolution No. 804 — Memorials, Public Service - Vikki Alexander, Cedar Bluff Middle School, Dillard's - News-Sentinel Student Citizen Award recipient. by *Buttry.

House Joint Resolution No. 805 — Memorials, Personal Achievement - Jennifer Rymer, 2000 Dillard's - Knoxville News-Sentinel Student Citizen Award. by *Buttry.

House Joint Resolution No. 806 — Memorials, Personal Occasion - Clyde and Odessa Mullican, 70th wedding anniversary. by *Curtiss.

Senate Joint Resolution No. 872 -- Memorials, Public Service - Senator Tom Leatherwood. by *Person, *Burchett, *Burks, *Carter, *Blackburn, *Clabough, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Miller J, *Person, *Ramsey, *Rochelle, *Wilder, *Williams, *Womack, *Atchley, *McNally, *Springer, J, *Kyle, *Harper, *Cohen.

Senate Joint Resolution No. 885 -- Memorials, Recognition - First Baptist Church of Greenbrier. by *Graves.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 2789** — Motor Vehicles, Titling and Registration - Reclassifies City of Oak Ridge cultural plate as new special earmarked license plate; earmarks 50 percent of funds produced from sale thereof to City of Oak Ridge school system Amends TCA Title 55, Chapter 4. by *Caldwell. (SB3174 by *McNally, *Davis L)

Further consideration of House Bill No. 2789 previously considered on May 25, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 2789 was made to conform with **Senate Bill No. 3174**; the Senate Bill was substituted for the House Bill.

Rep. Caldwell moved that Senate Bill No. 3174 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 2.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 3174 by deleting the language "The funds produced from the sale of such City of Oak Ridge new specialty earmarked license plates shall be allocated to the City of Oak Ridge in accordance with § 55-4-215. Such funds shall be used exclusively to provide school funding for grades K-12 in the Oak Ridge school system." and by substituting instead the following:

Notwithstanding the provisions of Section 55-4-215 or any other law to the contrary, all funds produced from the sale of such City of Oak Ridge new specialty earmarked license plates, after deducting the expense the department has incurred in designing, manufacturing and marketing such plates, shall be deposited in the general fund.

On motion, Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 3 was adopted.

Rep. Caldwell moved that **Senate Bill No. 3174**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	93
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

***House Bill No. 780** -- Surveyors - Requires professional land surveyor to make reasonable efforts to notify adjoining landowners that survey will be performed instead of only notifying adjoining landowners upon whose land it is necessary to enter. Amends TCA Section 62-18-124. by *McDaniel. (SB1269 by *Springer, P, *Cooper)

Further consideration of House Bill No. 780 previously considered on May 25, 2000, at which time it was reset for today's Calendar.

Rep. Boyer requested that House Bill No. 780 be moved down 10 places on the Calendar.

***Senate Bill No. 2738** -- Financial Disclosure - Deletes maximum aggregate contribution limit of 50 percent of total contributions for offices elected by statewide elections and \$75,000 in aggregate for any other state or local public office which candidates may accept from multicandidate political campaign committees for each election. Amends TCA Title 2, Chapter 10. by *Rochelle. (HB3067 by *Kisber)

Further consideration of Senate Bill No. 2738 previously considered on May 15, 2000, at which time the Senate Bill was substituted for the House Bill and was on the motion to adopt Amendment(s) No(s). 1, May 17, 2000, May 24, 2000 and May 31, 2000 at which time the bill was reset for today's Calendar.

On motion, Senate Bill No. 2738 was moved down 5 places on the Calendar.

***Senate Bill No. 2155** -- Solid Waste Disposal - Eliminates department of conservation and environment and local government supervision and approval for solid waste processing facilities; eliminates provision permitting interested persons' requests for public hearings on solid waste processing facilities Amends TCA Title 68, Chapter 211. by *Burchett. (HB2595 by *Kerr, *Dunn, *Montgomery, *Garrett, *Tidwell, *Davidson, *Walker (Rhea))

Further consideration of Senate Bill No. 2155 previously considered on May 30, 2000 at which time the House withdrew Amendment(s) No(s). 1 and May 31, 2000, at which time the House adopted Amendment(s) No(s). 2, 3 and 4 and reset the bill for today's Calendar.

Rep. Kerr moved that Senate Bill No. 2155 be reset for the Regular Calendar on June 6, 2000, which motion prevailed.

House Bill No. 3123 -- Medical Occupations - Enacts "Health Professional Licensure Agency Act of 2000." Amends TCA Title 63, Chapter 6 and Title 63, Chapter 1. by *Caldwell. (*SB3128 by *Henry)

Rep. Caldwell moved that House Bill No. 3123 be passed on third and final consideration.

Rep. Kernell requested that Government Operations Committee Amendment No. 1 be placed at the heel of the Amendments.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 2 as House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 3123 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Sections 63-6-224 and 63-9-112 are amended by deleting both sections in their entirety and substituting instead the following language at each location:

(a) The board shall have, in regards to operators of x-ray equipment and/or machines in physician offices, the authority, by rules and regulations, to:

(1) Establish and issue limited x-ray certifications to qualified individuals in the areas of densitometry, chest, extremities, skull and/or sinus and lumbar spine;

(2) Establish and issue full x-ray certifications to individuals who hold current and unrestricted national certification from the American Registry of Radiologic Technologists;

(3) Establish the minimum educational courses, curriculum, hours, and standards which are prerequisite to issuance of the limited certificates;

(4) Select the examination(s) to be utilized as the board's limited certification examination(s) and the prerequisites, if any, for admission to the examination(s). The board is authorized to enter into a contract or agreement with the chosen examination service(s) or select an intermediary between the board and the examination service(s) to process applicants for the examination(s);

(5) Establish any other criteria for issuance of limited certificates which are reasonably related to the safe and competent performance of x-ray procedures;

(6) Establish a mechanism for the board accreditation of educational courses which are operating for purposes of qualifying individuals for limited certification and which meet the requirements established pursuant to the rules promulgated under the authority of subdivision (a)(3), and establish the causes and standards which are grounds for withdrawal of the course accreditation and the mechanism for that withdrawal;

(7) Establish the fees to be paid for application and certification, renewal, and late renewal of certificates and the fees required to be paid for application, renewal, and late renewal of educational course accreditation; and

(8) Establish the required number of hours, types of courses, methods of proving compliance for biennial continuing education for all certificate holders.

(b) The certificates and accreditations issued pursuant to this section must be renewed and may be retired, and reactivated pursuant to board established procedures. A person holding a certificate issued pursuant to this section may be disciplined for the same causes and under the same procedures as contained in Tennessee Code Annotated, § 63-6-214 for the medical board, and § 63-9-111 for the osteopathic examination board.

(c) The standards established by the board pursuant to subsection (a) shall be at least as stringent as any mandatory federal standards.

(d) No person shall perform x-ray procedures in a physician's office without being licensed as a physician or certified by the board pursuant to this section. Persons who have enrolled in a board recognized radiologic training program are exempt from the certification requirements of this section only as to x-ray procedures performed within or under the auspices of the program in which they are enrolled. After completion of the course but while awaiting the first opportunity to sit for the certification examination, but for no more than six (6) months, and for a period of time within which to receive the examination scores, but no more than seventy-five (75) days thereafter, such persons are exempt from the certification requirements of this section.

(e) No x-ray procedures may be performed by any person holding a certificate issued pursuant to this section without:

(1) An order from a physician licensed pursuant to this chapter or an osteopathic physician licensed pursuant to chapter 9; and

(2) A physician licensed pursuant to this chapter or an osteopathic physician licensed pursuant to chapter 9 of this title exercising full supervision, responsibility and control over the services being provided. The Board is authorized to establish, by rules and regulations, the levels of supervision required of physicians utilizing persons certified pursuant to this section.

(f) A physician's office for purposes of this section shall mean anywhere the practice of medicine as defined in section 63-6-204, or the practice of osteopathy as defined in section 63-9-106, which includes the performance of x-ray procedures contemplated by this section, is being conducted, except where that practice is conducted in or under the auspices of an facility or entity licensed by the department of health's division of health care facilities. The operation of a business in which x-ray procedures contemplated by this section are performed that is not owned by a physician, group of physicians, medical professional corporation, limited liability medical professional company or an entity or facility licensed by the department of health's division of health care facilities is prohibited.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health and Human Resources Committee Amendment No. 2 as House Amendment No. 2 was adopted.

Rep. Kernell moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3123 By adding the following as a new section to precede the effective date section:

SECTION _____. (a) Tennessee Code Annotated, Section 4-29-226(a), is amended by deleting item (21) in its entirety.

(b) Tennessee Code Annotated, Section 4-29-223(a), is amended by adding a new item thereto, as follows:

() Board of medical examiners, created by § 63-6-101;

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Kernell moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 3123 by adding the following as a new section to precede the effective date section:

SECTION _____. (a) Tennessee Code Annotated, Section 4-29-220(a), is amended by deleting item (22) in its entirety.

(b) Tennessee Code Annotated, Section 4-29-223(a), is amended by adding a new item thereto, as follows:

() Board of osteopathic examination, created by § 63-9-101;

On motion, Amendment No. 3 was adopted.

Rep. Caldwell moved that **House Bill No. 3123**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 357 -- Sunset Laws - Board of dentistry, June 30, 2007. Amends TCA Title 4, Chapter 29, and Title 63, Chapter 5. by *Kernell, *Garrett, *Brooks. (*SB104 by *Springer, P)

On motion, House Bill No. 357 was made to conform with **Senate Bill No. 104**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 104 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 104 By deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-221(a), is amended by adding a new item thereto, as follows:

() Board of dentistry, created by Section 63-5-101;

Rep. Garrett moved adoption of Amendment No. 1 to Amendment No. 1 as follows:

Amendment No. 1 to 1

AMEND Amendment No. 1 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-226(a), is amended by adding a new item thereto, as follows:

() Board of dentistry, created by § 63-5-101;

SECTION 3. Tennessee Code Annotated, Section 63-5-102, is amended by deleting such section in its entirety and by substituting instead the following:

The board shall consist of six (6) practicing dentists, two (2) from each grand division of the state, one (1) board certified oral and maxillofacial surgeon, two (2) practicing dental hygienists, and one (1) practicing registered dental assistant, whose duty it is to carry out the provisions of this chapter.

SECTION 4. Tennessee Code Annotated, Section 63-5-103(a)(1), is amended by adding the following sentence:

The oral and maxillofacial surgeon member may be appointed by the governor from a list recommended by the Tennessee Society of Oral and Maxillofacial Surgeons.

SECTION 5. Tennessee Code Annotated, Section 63-5-103(a), is amended by deleting in its entirety the first sentence of subdivision (2) and by substituting instead the following:

The dental hygienist members may be appointed by the governor from a list recommended by the Tennessee Dental Hygienists Association

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Rep. Garrett moved that Amendment No. 1 as amended, be adopted which motion prevailed.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 104 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Any increased expenditures resulting from this act shall be paid from funds allotted to the board of dentistry by the commissioner of finance and administration pursuant to Section 63-5-119(a).

On motion, Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 was adopted.

Rep. Buck moved the previous question, which motion prevailed.

Rep. Kernell moved that **Senate Bill No. 104**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes	15
Present and not voting	1

Representatives voting aye were: Baird, Beavers, Bittle, Black, Bone, Bowers, Brooks, Brown, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Maddox, McCord, McDonald, McKee, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 78.

Representatives voting no were: Armstrong, Arriola, Boyer, Caldwell, Eckles, Ferguson, Goins, Hargrove, Hood, Lewis, McAfee, McDaniel, Montgomery, Walker, Windle -- 15.

Representatives present and not voting were: Dunn -- 1.

A motion to reconsider was tabled.

House Bill No. 2667 -- Unemployment Compensation - Increases rate of premiums employers pay from 5.5 percent to 6.5 percent of wages; revises information to be supplied by employers in separation issues to include witnesses and details of relevant events. Amends TCA Title 50, Chapter 7. by *West. (*SB2749 by *Rochelle, *Dixon)

On motion, House Bill No. 2667 was made to conform with **Senate Bill No. 2749**; the Senate Bill was substituted for the House Bill.

Rep. West moved that Senate Bill No. 2749 be passed on third and final consideration.

On motion, Rep. West withdrew Consumer and Employee Affairs Committee Amendment No. 1.

Rep. West moved that **Senate Bill No. 2749** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	79
Noes	13
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J., DeBerry L., Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Gunnels, Hargrove, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kisber, Langster, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 79.

Representatives voting no were: Baird, Bunch, Buttry, Davis (Washington), Dunn, Godsey, Hagood, Harwell, Lewis, McCord, Mumpower, Stulce, Windle -- 13.

Representatives present and not voting were: Beavers -- 1.

A motion to reconsider was tabled.

House Bill No. 2190 -- Motor Vehicles, Titling and Registration - Authorizes issuance of Memphis Redbirds baseball club new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to such club for community outreach programs in Memphis and Shelby County Amends TCA Title 55, Chapter 4. by *Hassell, *Kent. (*SB2181 by *Cohen, *Kyle, *Dixon)

On motion, House Bill No. 2190 was made to conform with **Senate Bill No. 2181**; the Senate Bill was substituted for the House Bill.

Rep. Hassell moved that Senate Bill No. 2181 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2181 by deleting subsection (c) from Section 2 of the introduced bill in its entirety and by substituting instead the following language:

(c) Notwithstanding any provision of this part to the contrary, all funds produced from the sale of such Memphis Redbirds new specialty earmarked license plates, after deducting the expense the department has incurred in designing, manufacturing and marketing such plates, shall be deposited in the general fund.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Hassell moved that **Senate Bill No. 2181**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***Senate Bill No. 2738** -- Financial Disclosure - Deletes maximum aggregate contribution limit of 50 percent of total contributions for offices elected by statewide elections and \$75,000 in aggregate for any other state or local public office which candidates may accept from multicandidate political campaign committees for each election. Amends TCA Title 2, Chapter 10. by *Rochelle. (HB3067 by *Kisber)

Further consideration of Senate Bill No. 2738 previously considered on today's Calendar.

Rep. Kisber requested that Senate Bill No. 2738 be moved down 5 places on the Calendar.

House Bill No. 2485 -- Motor Vehicles, Titling and Registration - Authorizes issuance of Dr. Martin Luther King, Jr. new specialty earmarked license plates; earmarks portion of revenues from sale thereof to the National Civil Rights Museum. Amends TCA Title 55, Chapter 4. by *Turner (Shelby), *Towns, *Chumney, *DeBerry J., *Bowers, *Miller L., *Pleasant, *Cooper B., *Brooks. (*SB2051 by *Cohen, *Dixon, *Ford J., *Harper, *Wilder, *Leatherwood)

On motion, House Bill No. was made to conform with **Senate Bill No. 2051**; the Senate Bill was substituted for the House Bill.

Rep. Miller moved that Senate Bill No. 2051 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2051 by deleting subsection (c) from Section 2 of the introduced bill in its entirety and by substituting instead the following language:

(c) Notwithstanding any provision of this part to the contrary, all funds produced from the sale of Dr. Martin Luther King, Jr. new specialty earmarked license plates, after deducting the expense the department has incurred in designing, manufacturing and marketing such plates, shall be deposited in the general fund.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Miller moved that **Senate Bill No. 2051**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 2324 -- Taxes - Redefines "industrial machinery" to include research and development machinery, component parts, operation and repair thus excluding from sales and use tax if used for research and development in experimental and laboratory sense. Amends TCA Title 67. by *Kisber. (SB2569 by *Cooper)**

Rep. Kisber moved that House Bill No. 2324 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2324 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 5, is amended by adding the following language as a new section in part 2:

Section ____ (a) Real and personal property used as a nonprofit family wellness center shall be exempt from property taxes as a charitable use of property if the center is owned and operated as provided in this section. "Family wellness center" means real and personal property used to provide physical exercise opportunities for children and adults. The property must be owned by a nonprofit corporation that is a charitable institution which (1) has as its historic sole purpose the provision of programs promoting physical, mental, and spiritual health, on a holistic basis without emphasizing one over another; (2) provides at least five (5) of the eight (8) following programs dedicated to the improvement of conditions in the community and to support for families: day care programs for preschool and school-aged children; team sports opportunities for youth and teens; leadership development for youth, teens, and adults; services for at-risk youth and teens; summer programs for at-risk and non-at-risk youth and teens; outreach and exercise programs for seniors; aquatic programs for all ages and skill levels; and services for disabled children and adults; and (3) provides all programs and services to those of all ages, incomes and abilities under a fee structure which reasonably accommodates persons of limited means and therefore ensures that ability to pay is not a consideration. The corporation must further meet the requirements of subsection (b).

(b) To qualify for exemption, the nonprofit corporation must first be exempt from federal income taxation as an exempt charitable organization under the provisions of Section 501(c)(3) of the Internal Revenue Code (U.S.C., title 26) and any amendments thereto. In addition, the nonprofit corporation shall provide that:

(1) The directors and officers shall serve without compensation beyond reasonable compensation for services performed;

(2) The corporation is dedicated to and operated exclusively for nonprofit purposes;

(3) No part of the income or the assets of the corporation shall be distributed inure to the benefit of any individual;

(4) Upon liquidation or dissolution, all assets remaining after payment of the corporation's debts shall be conveyed or distributed only in accordance with the requirements applicable to a 501(c)(3) corporation.

(c) All claims for exemptions under this section are subject to the provisions of Tennessee Code Annotated, Section 67-5-212(b).

(d) Nothing in this section shall prevent property of the corporation other than wellness centers from qualifying under other provisions of law.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to all matters pending before the Board of Equalization on the effective date of this act.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Bunch moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2324 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 67-5-212, is amended by adding the following language at the end of subsection (a)(1):

Notwithstanding the limitations contained in this subitem, that portion of the real property owned by the headquarters of a religious institution, which was previously used as the campus of a college owned and operated by such institution is exempt from taxation, if such real property is leased to a non-profit organization exempted from the payment of federal income taxes by the United States Internal Revenue Code (26 U. S. C. 501(c)(3)) which is leasing the property from such religious institution to operate a K-12 school and which organization has been accredited by the Tennessee Association of Non-Public Academic Schools. This exemption shall be granted even though the religious institution is receiving more than a reasonable service and maintenance fee for such use of the property but less than fair market value through a lease agreement with such non-profit organization. Such tax exemption shall be retroactive to the first use and reclassification of property to which it applies.

On motion, Amendment No. 2 was adopted.

Rep. Kisber moved that **House Bill No. 2324**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

SPECIAL ORDER

Without objection, the House considered the Supplemental Regular Calendar out of order.

SUPPLEMENTAL REGULAR CALENDAR

***House Bill No. 3364** -- Public Funds and Financing - Increases taxes and fees and reallocates revenues. Amends TCA Title 9; Title 13; Title 29; Title 40; Title 54; Title 55; Title 57; Title 59; Title 67 and Title 68. by *Head, *Kisber, *Hargrove, *Rinks, *Ford S, *Cole (Dyer), *Cole (Carter), *Whitson, *Kent.

Rep. Head moved that House Bill No. 3364 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3364 by adding the following new subdivision to Section 7 of the original bill:

(4) The department of transportation shall submit any proposal for apportionment of costs resulting from the general fund allocation in this subsection to the state building commission for approval prior to implementing such proposal, including, but not limited to, the programs and projects to be affected and the amount proposed to be allocated to each such program or project. Except as provided in subdivision (3) of this subsection, it is the legislative intent that the effect of this subsection be allocated on a pro rata basis to any affected program or project.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 3364 by deleting Section 17 of the original bill in its entirety and by substituting instead the following:

SECTION 17. Tennessee Code Annotated, Section 67-6-509, is amended by deleting that section in its entirety and by substituting instead the following:

67-6-509 (a) An out-of-state person making sales in Tennessee, who cannot be required to register for sales and use tax under applicable law but who nevertheless voluntarily registers to collect and remit use tax on items of tangible personal property sold to Tennessee customers, shall be allowed, for the purpose of compensating such person in accounting for and remitting the tax, a deduction against taxes due, reported and paid to the department as follows:

(1) Two percent (2%) of the first two thousand five hundred dollars (\$2,500) on each report; and

(2) One and fifteen one-hundredths percent (1.15%) of amounts over two thousand five hundred dollars (\$2,500) on each report.

(b) No deduction from tax shall be allowed if any such report or payment of tax is delinquent.

On motion, Finance, Ways and Means Committee Amendment No. 2 was adopted.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 3364 by deleting Sections 3 and 4 of the original bill and by renumbering the remaining sections accordingly.

On motion, Finance, Ways and Means Committee Amendment No. 3 was adopted.

Rep. Newton moved the previous question, which motion prevailed by the following vote:

Ayes.....	60
Noes	22
Present and not voting	2

THURSDAY, JUNE 1, 2000 — EIGHTY-FIFTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Boyer, Briley, Buck, Buttry, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Gunnels, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Kent, Kerr, Kisber, Maddox, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Rhinehart, Rinks, Roach, Robinson, Sands, Sargent, Stulce, Todd, Turner (Hamilton), Walley, White, Whitson, Williams, Windle, Winningham -- 60.

Representatives voting no were: Bowers, Brooks, Brown, Chumney, Cooper, Dunn, Eckles, Goins, Hagood, Jones S., Langster, McAfee, McCord, Miller, Pleasant, Pruitt, Scroggs, Towns, Walker, West, Westmoreland, Wood -- 22.

Representatives present and not voting were: Bunch, Kernell -- 2.

Rep. Head moved that **House Bill No. 3364**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	68
Noes	29

Representatives voting aye were: Armstrong, Arriola, Bittle, Bone, Boyer, Briley, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), DeBerry L., Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Gunnels, Hargrove, Hassell, Head, Hood, Jackson, Jones U., Kent, Kernell, Kerr, Kisber, Langster, Maddox, McDaniel, McDonald, McKee, McMillan, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Tidwell, Turner (Hamilton), Walker, Walley, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 68.

Representatives voting no were: Baird, Beavers, Black, Bowers, Bunch, Buttry, Cooper, Davis (Washington), DeBerry J., Dunn, Godsey, Goins, Hagood, Hargett, Harwell, Jones S., Lewis, McAfee, McCord, Miller, Montgomery, Mumpower, Odom, Stulce, Tindell, Todd, Towns, West, Westmoreland -- 29.

A motion to reconsider was tabled.

REMARKS

Prior to the vote, Rep. Montgomery requested these remarks be spread upon the Journal:

Mr. Speaker, I reluctantly rise to offer an explanation of my forthcoming vote on this bill.

Mr. Speaker, I am a freshman legislator and I took the advice offered by more experienced friends and members of this body that a freshman legislator is better off listening and learning rather than doing a lot of talking about things he or she knew nothing about.

I want and still want to be a good House soldier and to follow the lead of my leadership. Mr. Speaker, you and the leadership of this body have earned my respect and I am in awe of your awesome responsibilities. I count you as my friends and I hope you consider me your friend.

As you know, Mr. Speaker, I earlier this session expressed my intention to vote for a reasonable House plan put forth by the leadership; however, I must vote "NO" today because the plan causes irreparable harm to my district and, in my opinion, tourism in Tennessee.

One provision of this plan would remove the Premier state-shared funding formula for Gatlinburg and Pigeon Forge, the home of Dollywood. Let me be clear, Premier is not an appropriation, a subsidy or a gift. It is an integral part of the State-Local sales tax sharing formula that has been on the books for 22 years and endorsed by every legislature and Governor since that time. It is not in addition to other funds but an in-lieu formula designed to bring equity to two cities that share a distinction no other two cities in Tennessee or America share; that is, located at the entrance to the Smoky Mountains, the most visited tourist attraction in America.

Simply put, these two cities, with a combined population of 8,000 provide an overnight population of 100,000, which requires local infrastructure and fire, police, water and trash pick-up accordingly. In addition, this small population sends to the state each year approximately \$60 million in sales tax revenue while receiving back under Premier the state average of 11 percent. Without Premier, since sales tax dollars are redistributed solely on the basis of permanent population, they would receive back a percentage less than any other cities in Tennessee.

Without Premier we would not have, for instance, Dollywood, the Convention Center, Winter Lights festival, the theater complex or Ripley's Aquariums, which will come in to being later this year and, when fully operational, mean an additional \$5 million in state tax revenue. Gatlinburg and Pigeon Forge would not be year-round tourist attractions pumping millions of dollars into Tennessee.

Premier has been a cash cow for the state of Tennessee...a good investment. For example, before Premier was implemented Pigeon Forge sent \$4 million sales tax dollars to the Tennessee General Fund. This year it will sent almost \$40 million. Where can the state, strapped for revenue, get that kind of return on its investment?

There has been talk about the low property tax rate in Gatlinburg and Pigeon Forge. Yes, it is low and for a reason. Long ago, both cities wisely decided income growth came not from the property itself but from the income produced by the commercial property. Therefore, both cities are the only two cities—I repeat—the only two cities in Tennessee with local gross receipts taxes on business. These cities would have to increase property taxes 1,400 percent to realize the income from the gross receipts. And it would not realize annual growth by high commercial property taxes on commercial property with high assessments.

In addition, no other two cities have a local amusement tax or food and beverage tax. And there is the hotel-motel tax and every other local tax authorized by the General Assembly. If it can be taxed, Ladies and Gentlemen, Gatlinburg and Pigeon Forge have taxed it. Each resident pays an average of \$4,000 in local taxes—the highest in the state. They do their share.

Another distressing aspect of this bill relates to bond ratings. I know this is a concern of the House. Under the Premier formula, written in the law, a large portion of Premier money is specifically required to go to bond debt retirement. Gatlinburg, for instance, has long-term \$87 million in debt for tourism-related infrastructure. Repealing Premier puts Gatlinburg in the possible position of defaulting on its bonds. I'm sure they'll figure out a way not to. However, I am advised that this is the first time in Tennessee history that the General Assembly has enacted such a drastic measure.

Mr. Speaker, I didn't offer an amendment to take out the Premier section of this bill. I didn't want the many friends of Gatlinburg, Pigeon Forge and Dollywood in this House to be put in a position of voting against them. I understand no one would really want to, but at the same time, there is a desire to pass a House plan intact. I don't intend to debate the pros and cons of the Premier state-shared formula. This is not the place for it. I merely wanted to humbly express the reason for my vote and hope that in the future I can be a good soldier and support my leadership in difficult times with difficult votes in the future.

Thank you, Mr. Speaker and members of the House for listening to me.

SUPPLEMENTAL REGULAR CALENDAR, CONTINUED

***House Bill No. 2790** — Appropriations - Makes appropriations to defray expenses of state government for fiscal year beginning July 1, 2000. by *McDaniel, *Kisber. (SB2977 by *Henry, *Henry, *McNally, *Atchley)

Rep. McDaniel moved that House Bill No. 2790 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2790 by deleting each and every section of Senate Bill No. 2977 and by substituting instead new Sections 1 through 58, namely:

Sections 1 through 58 of House Bill No. 2790 as filed for introduction on February 2, 2000; printed and distributed as House Bill No. 2790; and considered to be part of this amendment.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Kisber moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed. On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 1.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2790 by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the department of agriculture by the provisions of this act is reduced by the sum of \$250,000. Such funding reduction is for the purpose of recognizing and offsetting the revenue gain from increased timber sales.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Tennessee Arts Commission by the provisions of this act for grants is reduced by the sum of \$70,000.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Commission on Children and Youth by the provisions of this act is reduced by the sum of \$5,000. Such funding reduction is for the purpose of reducing printing costs.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the comptroller of the treasury by the provisions of this act is reduced by the sum of \$1,000,000. Such funding reduction is for the purpose of recognizing overfunding of the tax relief program.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Council of Juvenile and Family Court Judges by the provisions of this act is reduced by the sum of \$55,000.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Administrative Office of the Courts by the provisions of this act is reduced by the sum of \$199,400. Such funding reduction is for the purpose of reducing operating expenses for law libraries.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Administrative Office of the Courts by the provisions of this act is reduced by the sum of \$202,700. Such funding reduction is for the purpose of reducing expenditures for conference costs, and it is the legislative intent that such conferences be funded through attendance fees.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Environment and Conservation by the provisions of this act is reduced by the sum of \$154,900. Such funding reduction is for the purpose of eliminating state funding for the Tennessee Conservationist Magazine. It is the legislative intent that such magazine become self-sufficient.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Historical Commission for grants is reduced by \$10,000.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Labor and Workforce Development by the provisions of this act is reduced by the sum of \$123,000. It is the legislative intent that the department increase the amount of the license fees it charges for mining operations to the extent necessary to offset this reduction in the department's base budget. The funding reduction under this item is contingent on House Bill No. 3364 / Senate Bill No. _____ becoming law.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the General Assembly by the provisions of this act is reduced by the sum of \$629,000. Such funding reduction is for the purpose of reducing operating expenditures.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Personnel by the provisions of this act is reduced by the sum of \$175,000. It is the legislative intent that costs of supervisory training provided to other state agencies be allocated to the agencies receiving such training.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Office of the Post-Conviction Defender by the provisions of this act is reduced by the sum of \$16,150. Such funding reduction is for the purpose of reducing equipment funding.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Safety by the provisions of this act is reduced by the sum of \$600,000. Such funding reduction is for the purpose of recognizing an increase in training academy fees from \$100 to \$200 per week.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) by the provisions of this act is reduced by the sum of \$100,000. It is the legislative intent that this reduction be recurring.

by adding the following new items at the end of Section 10:

Item _____. It is the legislative intent that the administrative expenses of the Criminal Injuries Compensation Program be funded from the Criminal Injury Compensation Fund rather than from the Claims Award fund. There is appropriated a sum sufficient from the Criminal Injury Compensation Fund for such administrative expenses. Upon certification as to the amount by the State Treasurer, the Commissioner of Finance and Administration is authorized to adjust the charges to the department and agencies to reflect the reduced expenses to the Claims Award Fund. The provisions of this item are contingent on House Bill No. 3364 / Senate Bill No. _____ becoming law.

Item _____. The amount budgeted for the Claims Award Fund for the cost associated with the Attorney General's usage of outside counsel is reduced by the sum of \$775,000. The commissioner of Finance and Administration is authorized to adjust the charges to the departments and agencies to reflect this reduced expense.

Item _____. The appropriation of employer contributions to the Tennessee Consolidated Retirement System is reduced by the sum of \$35,000 to recognize the savings realized by requiring all beneficiaries to receive their monthly annuities by direct deposit rather than by a physical check. The reduction made in this item is contingent on House Bill No. 25 / Senate Bill No. 37 becoming law.

Item _____. The appropriation to the Treasurer's Office contained in Section 1, Title III-1, item 7.1 is reduced by the sum of \$274,000 to recognize the increased fee revenue from investment of restricted accounts and reducing the number of open bank accounts to a maximum of 35. The Treasurer is directed to implement the changes necessary to generate these savings. In addition, Treasurer earnings are increased by \$16,000 to recognize the reduction in bank service charges realized by reducing the number of open bank accounts to a maximum of 35.

Item _____. The appropriation of departmental revenue to the Treasurer's Office contained in Section 4, Item III-1, item 7.1 is reduced by the sum of \$19,000 to recognize savings realized by requiring companies to provide the annual report to unclaimed property in a standardized electronic format, and to reduce mailing costs associated with such companies by utilizing e-mail and internet capabilities. The Treasurer is directed to implement the changes necessary to generate these savings.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Tennessee Rehabilitative Initiative in Correction Board (TRICOR) for the post release program by the provisions of this act is reduced by the sum of \$279,000. It is the legislative intent that the post release program be funded from TRICOR revenues.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Commission on Aging by the provisions of this act is reduced by the sum of \$16,700. Such funding reduction is for the purpose of eliminating the improvement funding for computer system changes.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Department of Agriculture by the provisions of this act is reduced by the sum of \$600,000. Such funding reduction is for the purpose of eliminating the improvement for forestry equipment and road maintenance materials.

by adding the following new item at the end of Section 10:

Item _____. It is the legislative intent that the improvement funds appropriated by this act to the Department of Agriculture in the amount of \$2,500,000 for the purpose of funding grants for boll weevil eradication be non-recurring.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Attorney General and Reporter by the provisions of this act is reduced by the sum of \$556,300. Such funding reduction is for the purpose of eliminating the improvement funding for seven (7) new positions.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Children's Services by the provisions of this act is reduced by the sum of \$229,000. Such funding reduction is for the purpose of eliminating improvement funds pertaining to providing adoption record services to the public.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the department of commerce and insurance by the provisions of this act is reduced by the sum of \$757,100. Such funding reduction is for the purpose of reducing improvement funding for the fire service and codes enforcement academy.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Comptroller of the Treasury by the provisions of this act is reduced by the sum of \$97,100. Such funding reduction is for the purpose of eliminating the improvement for the staff to analyze K-12 school performance.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Administrative Office of the Courts by the provisions of this act is reduced by the sum of \$300,000. Such funding reduction is for the purpose of eliminating the improvement funding for operational costs.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Administrative Office of the Courts by the provisions of this act is reduced by the sum of \$1,425,000. Such funding reduction is for the purpose of eliminating the improvement funding for the TnCIS system.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the District Public Defenders by the provisions of this act is reduced by the sum of \$343,400. Such funding reduction is for the purpose of eliminating improvement funding for access to LAN and WAN.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the District Public Defenders by the provisions of this act is reduced by the sum of \$448,300. Such funding reduction is for the purpose of eliminating improvement funding for new positions under the staffing formula.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the District Attorneys General by the provisions of this act is reduced by the sum of \$85,000. Such funding reduction is for the purpose of eliminating improvement funding for expert witnesses.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the District Attorneys General by the provisions of this act is reduced by the sum of \$947,800. Such funding reduction is for the purpose of eliminating improvement funding for new positions under the staffing formula.

by adding the following new items at the end of Section 10:

Item _____. The appropriation made to the District Attorneys General by the provisions of this act is reduced by the sum of \$132,300. Such funding reduction is for the purpose of eliminating improvement funding for domestic violence prevention and drug enforcement. It is the legislative intent to fund this item with funds from the criminal injuries compensation fund. The provisions of this item are contingent on House Bill No. 3364 / Senate Bill No. becoming law.

Item _____. There is appropriated to the department of the treasury a sum not to exceed \$132,300 from the criminal injuries compensation fund for grants for domestic violence prevention and drug enforcement activities. The provisions of this item are contingent on House Bill No. 3364 / Senate Bill No. becoming law.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Economic and Community Development by the provisions of this act is reduced by the sum of \$56,700. Such funding reduction is for the purpose of eliminating improvement funds to pay increased membership dues for the Appalachian Regional Commission.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Economic and Community Development by the provisions of this act is reduced by the sum of \$350,000. Such funding reduction is for the purpose of eliminating improvement funding of the Black Enterprise magazine conference. It is the legislative intent that funding support for such conference come from the department's marketing and advertising budget.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Economic and Community Development by the provisions of this act is reduced by the sum of \$400,000. Such funding reduction is for the purpose of eliminating funding improvements for the Tennessee Technology Development Corporation.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Economic and Community Development by the provisions of this act is reduced by the sum of \$3,574,300. Such funding reduction is for the purpose of eliminating improvement funding for increased TIIPS and ITS grants to communities.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Environment and Conservation by the provisions of this act is reduced by the sum of \$250,000. Such funding reduction is for the purpose of eliminating the improvement funding for state parks vehicle replacement.

by adding the following new item at the end of Section 10:

Item _____. It is the legislative intent that funds appropriated by this act to the Department of Environment and Conservation in the amount of \$500,000 for the purpose of major maintenance projects improvement funding of the West Tennessee River Basin Authority be non-recurring.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Environment and Conservation by the provisions of this act is reduced by the sum of \$526,800. Such funding reduction is for the purpose of eliminating the improvement for additional LAN and WAN access.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Executive Department by the provisions of this act is reduced by the sum of \$12,700. Such funding reduction is for the purpose of eliminating improvement funding for increased dues for legislative and executive intergovernmental organizations.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Finance and Administration by the provisions of this act is reduced by the sum of \$134,000. Such funding reduction is for the purpose of eliminating improvement funding for developing alternatives to obsolete software for payroll transactions.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Finance and Administration by the provisions of this act is reduced by the sum of \$500,000. Such funding reduction is for the purpose of eliminating improvement funding for studies on modernizing the state payroll module of the personnel system and development of a new personnel system.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made in Section 1, Title III-2, Item 3.3 of this act is hereby reduced in the amount of \$2,500,000 to delete the improvement funding for the Geographic Information System (GIS).

The following amounts are hereby reappropriated in the fiscal year ending June 30, 2000, and the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$2,500,000 to and within the Systems Development Fund for the purpose of funding the Geographic Information System (GIS): (a) the unexpended balance of the appropriations made for Year 2000 Modifications in Public Acts of 1997, Chapter 552, Section 1, Title III-21, Item 11 (\$6 million) and Public Acts of 1998, Chapter 1135, Section 1, Title III-21, Item 11 (\$4 million), such balance estimated to be \$1,866,313.27; and (b) the unexpended balance from the appropriation for LAN Consolidation in Public Acts of 1999, Chapter 539, Section 1, Title III-21, Item 13.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Health by the provisions of this act is reduced by the sum of \$117,200. Such funding reduction is for the purpose of eliminating improvement funding for staff support for the Children's Information Tennessee (CIT) system.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Health by the provisions of this act is reduced by the sum of \$275,000. Such funding reduction is for the purpose of eliminating improvement funding to enhance the patient tracking and billing management information system.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Health by the provisions of this act is reduced by the sum of \$1,000,000. Such funding reduction is for the purpose of eliminating improvement funding to establish additional community health initiatives to improve health access, including telemedicine projects.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Higher Education by the provisions of this act is reduced by the sum of \$740,500. Such funding reduction is for the purpose of eliminating improvement funding for operational costs at the Tennessee Higher Education Commission (THEC), various centers of excellence and centers of emphasis, the foreign language institute and for contract education.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Higher Education by the provisions of this act is reduced by the sum of \$2,000,000. Such funding reduction is for the purpose of eliminating system-wide improvement funding for debt service on \$9,000,000 in general obligation notes for equipment procurement.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Higher Education by the provisions of this act is reduced by the sum of \$4,000,000. Such funding reduction is for the purpose of eliminating the improvement funds to be added to the McWherter Scholars Trust Fund.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Higher Education by the provisions of this act is reduced by the sum of \$4,000,000. Such funding reduction is for the purpose of eliminating improvement funding for a technology initiative to improve student access to higher education through the use of distance learning.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the board of regents system by the provisions of this act is reduced by the sum of \$5,000,000. Such funding reduction is for the purpose of eliminating the improvement for research initiatives.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the University of Tennessee by the provisions of this act for the purpose of research initiatives is reduced by the sum of \$7,500,000. It is the legislative intent that the funds appropriated by this act to the University of Tennessee in the amount of \$7,500,000 for the purpose of funding research initiatives be non-recurring.

by deleting Section 51 of the original bill in its entirety and by substituting instead the following:

SECTION 51.

Item 1. The appropriation made in Section 1, Title III-9, Item 2.1c., BEP and Other LEA Support, includes funding for the state share of a three percent (3%) across-the-board teachers' salary increase in the Basic Education Program in fiscal year 2000-2001.

Item 2. The appropriation made in Section 1, to Higher Education, includes \$18,691,700 to provide a three percent (3%) across-the-board salary increase effective July 1, 2000 for all higher education employees. Subject to approval by the Commissioner of Finance and Administration, the Tennessee Higher Education Commission shall prepare a schedule to allocate this appropriation. Such schedule shall be submitted to the Office of Legislative Budget Analysis.

Item 3. The appropriations made in Section 1, Title III-10 for higher education are reduced by \$30,762,800. The reduction is for the purpose of eliminating the funds for an additional average three percent (3%) faculty salary increase effective July 1, 2000 and for recognizing distribution of salary funds through the higher education formula.

Any additional general salary increases for such faculty members that exceed the three percent (3%) across-the-board salary increase may be granted from funds available to institutions of higher education if such increases are submitted to and approved by the Board of Trustees of the University of Tennessee or the Board of Regents, respectively. Such plans shall also be submitted to the Commissioner of Finance and Administration and the Office of Legislative Budget Analysis.

Item 4. Notwithstanding any provision of law or this act to the contrary, no increase in compensation for staff, faculty or administrators in excess of increases in compensation granted pursuant to Item 2 shall be implemented in any institution of higher education until a compensation plan for each campus and administrative office has been submitted to and approved by the Board of Trustees of the University of Tennessee or the Board of Regents, respectively. Such plans shall also be submitted to the Commissioner of Finance and Administration and the Office of Legislative Budget Analysis.

Item 5. The appropriation of \$24,990,600.00 made in Section 1, Title III-21, Item 16, State Employees Salary Increase, is intended to provide a three percent (3%) across-the-board salary increase effective July 1, 2000 for each state employee and to adjust the appropriate salary ranges in a like manner. The salary increase is not applicable to employees in positions which come under the provisions of a statutory salary plan: provided, however, that employees who come under the provisions of a statutory salary plan shall receive compensation increases in accordance with the provisions of such statutory salary plan.

Item 6. It is the legislative intent that all across-the-board raises shall apply to all state employees, and higher education employees unless an employee is denied on the basis of unsatisfactory work performance which shall be set forth in a statement from the head of the department, agency, or institution of higher education detailing the circumstances surrounding the denial which shall be sent to the affected employee. The person denied the increase shall then have the opportunity to respond either orally or in writing to the head of the department, agency, or institution of higher education. If the denial is sustained, such letter must be filed with the commissioner of personnel or the Board of Trustees of the University of Tennessee system or the Board of Regents of the State University and Community College system, as appropriate. Provided, however, that employees who are compensated at range minimums shall receive any increase caused by adjustment of range minimums, notwithstanding the provisions of this item to the contrary.

Item 7. The appropriation of \$20,277,800 made in Section 1, Title III-21, for State Employee Salary Adjustments is intended to address employee compensation issues. Prior to allotting this appropriation under the provisions of Section 35, Item 11 of this act, the Commissioner of Personnel and the Commissioner of Finance and Administration shall submit to the Speaker of the House of Representatives, the Speaker of the Senate and the Chairmen of the Finance, Ways and Means Committees of the Senate and House of Representatives a plan for the allocation of this appropriation to state agencies. Such plan shall also be submitted to the Office of Legislative Budget Analysis. There is earmarked a sum sufficient from such \$20,277,800 to address legislative employee compensation issues.

Item 8. The Commissioner of Finance and Administration is authorized to reallocate the appropriations made in Sections 1 and 4 of this act for the state's contribution to the Tennessee Consolidated Retirement System (TCRS) in recognition of the new contribution rates to be effective July 1, 2000. The total appropriations for the state's contribution to the TCRS shall be reduced from the amounts appropriated in Sections 1 and 4 of this act and the Commissioner shall reflect that reduction in the work program allotments established effective July 1, 2000.

Item 9. All salary increases from funds appropriated by the provisions of this act in accordance with the provisions of this section are contingent on House Bill No. 3364 / Senate Bill No. becoming law.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Human Rights Commission by the provisions of this act is reduced by the sum of \$211,800. Such funding reduction is for the purpose of eliminating the improvement for the evaluation of housing and employment discrimination cases.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Human Services by the provisions of this act is reduced by the sum of \$150,000. Such funding reduction is for the purpose of eliminating improvement funding relative to removing unneeded TANF and Food Stamp information from the department's computer system.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Human Services by the provisions of this act is reduced by the sum of \$263,500. Such funding reduction is for the purpose of eliminating improvement funds for a pilot project for increased access to Food Stamps by elderly and disabled persons.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Education by the provisions of this act is reduced by the sum of \$285,000. Such funding reduction is for the purpose of eliminating the improvement funds to maintain the Governor's Schools.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Education by the provisions of this act is reduced by the sum of \$5,000,000. Such funding reduction is for the purpose of eliminating improvement funds designated for reducing the BEP growth factor from 1.7% to 0.9%.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Education by the provisions of this act is reduced by the sum of \$3,291,800. Such funding reduction is for the purpose of reducing the improvement funding for development and field testing of five new tests. It is the legislative intent to fund five of the ten recommended tests.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Labor and Workforce Development by the provisions of this act is reduced by the sum of \$18,100. Such funding reduction is for the purpose of eliminating funds for the improvement pertaining to federal mine safety and equipment rules. The funding reduction under this item is contingent on House Bill No. 3364 / Senate Bill No. becoming law.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the department of labor and workforce development by the provisions of this act is reduced by the sum of \$32,900. Such funding reduction is for the purpose of eliminating improvement funding for two (2) positions to support departmental computer systems.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the department of mental health and mental retardation by the provisions of this act is reduced by the sum of \$326,800. Such funding reduction is for the purpose of eliminating improvement funding to replace declining federal match for the Tennessee Technology Access Project.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of the Military by the provisions of this act is reduced by the sum of \$150,000. Such funding reduction is for the purpose of eliminating improvement funding for the replacement of federal monies for armory telecommunications.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of the Military by the provisions of this act is reduced by the sum of \$157,800. Such funding reduction is for the purpose of eliminating improvement funding for new positions for operational support.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of the Military by the provisions of this act is reduced by the sum of \$696,600. Such funding reduction is for the purpose of eliminating improvement funding for facility maintenance.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Miscellaneous Appropriations by the provisions of Section 1, Title III-21, Item 17 is reduced by the sum of \$1,000,000. Such funding reduction is for the purpose of eliminating improvement funding for charter schools.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Miscellaneous Appropriations by the provisions of Section 1, Title III-21, Item 17 is reduced by the sum of \$15,000,000. Such funding reduction is for the purpose of eliminating improvement funding for implementation of recommendations by the Juvenile Justice Reform Commission.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the department of personnel by the provisions of this act is reduced by the sum of \$60,000. Such funding reduction is for the purpose of eliminating funding to replace desktop computers through the computer replacement fund.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Personnel by the provisions of this act is reduced by the sum of \$518,600. Such funding reduction is for the purpose of eliminating improvement funding for management training.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Revenue by the provisions of this act is reduced by the sum of \$436,600. Such funding reduction is for the purpose of eliminating improvement funding to establish an electronic commerce unit.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Revenue by the provisions of this act is reduced by the sum of \$1,083,600. Such funding reduction is for the purpose of eliminating improvement funding for additional staff positions for conducting tax audits and compliance reviews.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Revenue by the provisions of this act is reduced by the sum of \$330,075. Such funding reduction is for the purpose of reducing improvements in operational funding.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Revenue by the provisions of this act is reduced by the sum of \$1,405,000. Such funding reduction is for the purpose of eliminating improvement funding to cover recurring costs of administering the 1999 tax revision and reform act.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Safety by the provisions of this act is reduced by the sum of \$135,800. Such funding reduction is for the purpose of eliminating improvement funding for retaining law enforcement training positions due to the loss of federal Community Oriented Policing grants.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Safety by the provisions of this act is reduced by the sum of \$420,000. Such funding reduction is for the purpose of eliminating improvement funding for the replacement of three interstate commercial vehicle enforcement scales.

by adding the following new item at the end of Section 10:

Item _____. It is the legislative intent that the funds appropriated by the provisions of this act to the Department of Safety in the amount of \$120,000 for the purpose of replacing highway patrol equipment be non-recurring.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Secretary of State by the provisions of this act is reduced by the sum of \$300,000. Such funding reduction is for the purpose of eliminating improvement funding for the Tennessee electronic library. It is the legislative intent that the Tennessee electronic library be funded with federal funds.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Tennessee Bureau of Investigation by the provisions of this act is reduced by the sum of \$358,600. Such funding reduction is for the purpose of eliminating improvement funding replacement connected to the loss of federal funding for seven (7) positions.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Tennessee Bureau of Investigation by the provisions of this act is reduced by the sum of \$570,900. Such funding reduction is for the purpose of eliminating the improvement for six (6) additional positions.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to the Department of Tourist Development by the provisions of this act is reduced by the sum of \$1,000,000. Such funding reduction is for the purpose of eliminating improvement funding for increased advertising to promote tourism.

by deleting the following language from Section 38 of the original bill:

Department of Revenue

1. Proposed 2000 Tax Reform Bill.....\$ 6,225,800.00

AND FURTHER AMEND by adjusting all totals and subtotals accordingly.

AND FURTHER AMEND by reducing the appropriation made to the department of revenue by \$26,521,400. Such funding reduction is for the purpose of eliminating the improvement for funding of the proposed 2000 tax reform bill.

by deleting the original Section 1, Title 30 in its entirety and by substituting instead the following:

30. State Funding Board

There is hereby appropriated to the State Funding Board for interest and reduction of the State debt, for debt service expense and interest on proposed bond authorization:

2000-2001

1.	Interest on State Debt	\$41,359,000.00
2.	Retirement of Bonds	66,747,000.00
3.	Debt Service Expense	2,500,000.00
4.	Amortization of Authorized and Unissued Construction Bonds	48,326,400.00
5.	Amortization of Authorized and Unissued Highway Bonds	87,700,000.00
Total Title III-30		\$246,632,400.00

The appropriation made under Section 1, Title III-30, Items 1, 2, 3, 4 and 5 is made under the provisions of Tennessee Code Annotated, Title 9, Chapter 9, and may be increased to such amounts as will be necessary to carry out such provisions.

AND FURTHER AMEND by deleting the original Section 1, Title 31 in its entirety and by substituting instead the following:

31. Capital Outlay

THURSDAY, JUNE 1, 2000 — EIGHTY-FIFTH LEGISLATIVE DAY

There is hereby appropriated to each of the departments and agencies enumerated herein, funds for major maintenance, equipment, construction and acquisition of land, and for expansion, improvement, betterments and repairs to existing structures. The Commissioner of Finance and Administration is hereby authorized to transfer the amounts herein appropriated to the Capital Projects Fund for the use of the said departments and agencies.

2000-2001

1.	Department of Commerce and Insurance	1,110,000.00
2.	Department of Finance and Administration – Mental Retardation	16,000.00
3.	State Board of Regents	8,398,000.00
4.	University of Tennessee System	3,405,000.00
5.	Department of Finance & Administration – Statewide Maintenance	8,175,000.00
Total Title III-31		\$21,104,000.00

Said funds herein appropriated shall be used solely for improvements, betterments, and additions to state structures and for the acquisition of additional land and space, including the purchase of existing structures and grants, as described or referred to above and as approved by the State Building Commission; provided, further, that such funds as are appropriated herein shall be utilized to finance only those projects, improvements, betterments, or additions which are presented in the State of Tennessee's 2000-2001 Budget Document, as amended by any changes or additional projects contained in the Appropriations Act as passed on third and final consideration; provided, further, that all funds appropriated in this act or other general acts of this session for capital outlay shall be subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 15, Part 1.

AND FURTHER AMEND by deleting Item 4 of the original Section 43 and by substituting instead the following:

Item 4. Unexpended appropriations in the amount of \$35,000,000.00 shall be transferred from the debt service fund to the general fund in the fiscal year ending June 30, 2000.

AND FURTHER AMEND by adding the following new item at the end of the original Section 43:

Item _____. In the fiscal year ending June 30, 2000, there shall be reserved the sum of \$98,025,800 in the general fund balance which shall be carried forward to fund appropriations made for the fiscal year beginning July 1, 2000.

AND FURTHER AMEND by deleting Item 2 of the original Section 47 and by substituting instead the following:

Item 2. From state revenues and other funds available to the general fund for the fiscal year ending June 30, 2001, the Commissioner of Finance and Administration is authorized to establish the Revenue Fluctuation Reserve in the amount of \$196,900,200 under the provisions of Tennessee Code Annotated, Section 9-4-211.

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 for the sole purpose of implementing Chapter No. 554 of the Public Acts of 2000, relative to the Coordinated School Health Improvement Act of 1999.

by adding the following language at the end of the original Section 12, Item 5(a):

Should this amount be insufficient to provide for the twenty dollar (\$20) match, there is appropriated a sum sufficient, not to exceed \$2,930,000, to supplement funding for such match.

AND FURTHER AMEND by adding the following language at the end of the original Section 12, Item 5(b):

Should this amount be insufficient to provide for the twenty dollar (\$20) match, there is appropriated a sum sufficient, not to exceed \$676,000, to supplement funding for such match.

AND FURTHER AMEND by adding the following language at the end of the original Section 12, Item 5(c):

Should this amount be insufficient to provide for the twenty dollar (\$20) match, there is appropriated a sum sufficient, not to exceed \$1,338,000, to supplement funding for such match.

by adding the following new items at the end of Section 10:

Item _____. There is appropriated from the state highway fund the sum of \$1,600,600 to the department of tourist development for operation of welcome centers.

Item _____. The appropriation made to the department of tourist development by the provisions of Section 1, Title III-4, Item 2 is reduced by the sum of \$1,600,600 to recognize the funding of welcome centers from the state highway fund.

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the department of finance and administration for distribution to the appropriate entities for the sole purpose of implementing Senate Bill 2001 / House Bill 2004, Senate Bill 2047 / House Bill 2020, Senate Bill 2633 / House Bill 2798, Senate Bill 0593 / House Bill 0565, Senate Bill 2069 / House Bill 2006, Senate Bill 2121 / House Bill 2329, Senate Bill 2135 / House Bill 2212, Senate Bill 2722 / House Bill 2890, Senate Bill 3158 / House Bill 3082, Senate Bill 1721 / House Bill 1679, Senate Bill 2550 / House Bill 2888, Senate Bill 2557 / House Bill 2741, Senate Bill 2634 / House Bill 2818, Senate Bill 2898 / House Bill 2259, Senate Bill 3089 / House Bill 3016, Senate Bill 3210 / House Bill 3168, Senate Bill 2864 / House Bill 3178, Senate Bill 3110 / House Bill 3038, Senate Bill 3043 / House Bill 3122, Senate Bill 2904 / House Bill 2610, Senate Bill 2949 / House Bill 2771, Senate Bill 2382 / House Bill 2319, Senate Bill 0524 / House Bill 0650, Senate Bill 2065 / House Bill 2015, Senate Bill 3107 / House Bill 3035, Senate Bill 2609 / House Bill 2527, Senate Bill 2485 / House Bill 2738, Senate Bill 2741 / House Bill 2788, Senate Bill 2769 / House Bill 2379, Senate Bill 0897 / House Bill 0989, Senate Bill 2124 / House Bill 2737, Senate Bill 0190 / House Bill 0319, Senate Bill 3172 / House Bill 2365, Senate Bill 2415 / House Bill 2517, Senate Bill 2578 / House Bill 2618, Senate Bill 2694 / House Bill 3109, Senate Bill 3076 / House Bill 3004, Senate Bill 3091 / House Bill 3018, Senate Bill 2570 / House Bill 2366, Senate Bill 2382 / House Bill 2319, Senate Bill 1770 / House Bill 1849, Senate Bill 2366 / House Bill 2095, Senate Bill 2910 / House Bill 2471 and House Joint Resolution 532, if such bills become law. It is the legislative intent that if funding is earmarked for such implementation in such bills that the funds appropriated in this item be reduced accordingly. In addition, if the fiscal note on any bill states that state revenues would be increased in an amount equal to or greater than state expenditures as a result of the enactment of such bill, then there is appropriated a sum sufficient from such increased revenue to the appropriate entity, as determined by the commissioner of Finance and Administration, to implement such bill.

AND FURTHER AMEND by deleting in Section 1 of the printed bill all of the line items in Title III-6, Wildlife Resources Agency, and substituting instead the following line items:

1.	Wildlife.....	\$23,613,000.00
2.	Boating.....	4,631,000.00
3.	Wetlands Acquisition Fund.....	6,000,000.00
4.	Wetlands Compensation Fund.....	200,000.00
	Total Title III-6	\$34,444,000.00

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AND FURTHER AMEND in Section 4 of the printed bill by deleting all of the line items in Title III-6, Wildlife Resources Agency, and substituting instead the following line items:

1. Wildlife.....	\$16,375,400.00
2. Boating.....	2,330,800.00
Total Title III-6	\$18,706,200.00

AND FURTHER AMEND in Section 2, Item 11, of the printed bill by deleting the T.C.A. citation "9-6-119" and substituting in lieu thereof "9-4-210".

AND FURTHER AMEND by adding to Section 7, Item 10 of the printed bill a second sentence to read: "From the funds appropriated to Dismas, Inc., there is earmarked the sum of \$25,000 to Chattanooga Endeavors (formerly Dismas House of Chattanooga) and \$8,000 to Better Decisions (formerly DECISIONS, a program of the DISMAS, Inc. home office) for the sole purpose of maintaining operations at their former level."

AND FURTHER AMEND by deleting in its entirety Section 41, Item 4 of the printed bill and by renumbering the subsequent items.

AND FURTHER AMEND by deleting the second paragraph in Section 48, Item 1 of the printed bill and substituting a new paragraph to read: "The Commissioner of Finance and Administration is further authorized to transfer state funds and positions, as required, between TennCare and Mental Health services, Mental Retardation services, other Health services, Children's Services, Health Oversight and Commerce and Insurance, Division of TennCare Oversight."

AND FURTHER AMEND by inserting in Section 9 of the printed bill a new item to read:

Item _____. To the Department of Environment and Conservation from the Radiation Reclamation Trust Fund and the Perpetual Care Trust Fund under the provisions of Tennessee Code Annotated, Section 68-202-405.

AND FURTHER AMEND by adding to Section 36, Item 1 of the printed bill a second sentence to read: "The Commissioner of Finance and Administration is authorized to transfer from the amounts carried forward sums sufficient for the computer equipment replacement fund and to the systems development fund."

AND FURTHER AMEND by adding to Section 36 of the printed bill the following new items:

Item _____. To the Department of Veterans Affairs in Section 2, Item 11, an amount not to exceed \$39,000. Subject to the availability of funds, the Commissioner of Finance and Administration is authorized to carry forward that amount to replace regional office computers in fiscal year 2000-2001.

Item _____. To the Department of Agriculture the unexpended balance of revenues from timber salvage sales at Natchez Trace State Forest and State Park.

Item _____. To the Department of Correction, Tennessee Prison for Women, in Section 1, Title III-7, Item 6 in the amount of \$537,600.00. The funds authorized to be carried forward are for the purpose of non-recurring costs of prison bed expansions.

Item _____. To the Department of Children's Services in Section 1, Title III-22, Item 4, Adoption Services, for any grant agreement/contract approved by the Commissioner of Finance and Administration for the purpose of adoption placement and finalization for youth with special needs.

Item _____. To the Department of Finance and Administration, Division of Mental Retardation, in Section 1, Title III-24. The sum of \$775,000 is hereby reappropriated to provide training reimbursement for provider agencies and independent support coordination agencies that serve class members in the Settlement Agreement.

Item _____. To the Department of Commerce and Insurance in Section 1, Title III-11, Item 4 and in Section 4, Title III-12, Item 3, an amount not to exceed \$275,000. The funds carried forward shall be used to equip the new Fire and Codes Academy.

Item _____. To the Department of Commerce and Insurance in Section 4, Title III-12, Item 1, an amount not to exceed \$100,000. The funds carried forward shall be used to purchase computer equipment.

AND FURTHER AMEND by deleting in its entirety Section 39 of the printed bill and substituting a new Section 39 to read:

SECTION 39. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>1999-2000</u>	<u>2000-2001</u>
District Attorneys General Conference		
1. District Attorneys General	\$153,000	\$0
2. IV-D Child Support Enforcement	\$0	305,000
Total District Attorneys General Conference	\$153,000	\$305,000

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Secretary of State

1. Secretary of State	\$0	\$222,500
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Commissions

1. Tennessee Housing Development Agency	\$5,900	...\$37,500
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Department of Finance and Administration

1. Division of Insurance Administration	\$0	\$44,400
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2. Accounts	\$0	45,700
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Total Department of Finance and Administration	\$0	\$90,100
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Department of Education

1. Improving America's Schools Act (IASA)	\$0	\$250,000
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2. Improving School Programs	\$250,000	\$250,000
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3. School Nutrition Programs	\$0	\$7,289,500
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4. Special Education Services	\$0	\$5,948,500
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5. Vocational Education Programs	\$0	219,200
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Total Department of Education	\$250,000	\$13,957,200
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Department of Commerce and Insurance

1. Consumer Affairs	\$10,000	\$10,000
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Department of Mental Health and Mental Retardation

1. Mental Health Services Administration	\$0	\$61,700
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2. Community Mental Health Services	\$0	\$1,432,200
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3. Middle Tennessee Mental Health Institute	\$0	\$1,200,000
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Total Dept. of Mental Health and Mental Retardation	\$0	\$2,693,900
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Department of Finance and Administration –Mental Retardation

1. Developmental Disabilities Council	\$0	\$100,000
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Department of Health

1. Manpower and Facilities	\$262,500	\$350,000
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2. Communicable and Environmental Disease Services	\$1,003,000	\$3,967,600
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3. Population Based Services	\$484,400	\$767,600
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4. Women, Infants, and Children (WIC)	\$0	\$5,105,000
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Total Department of Health	\$1,749,900	\$10,190,200
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Tennessee Bureau of Investigation

1. Tennessee Bureau of Investigation	\$800,000	\$800,000
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Department of Safety

1. Highway Patrol	\$0	\$952,400
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Department of Children's Services

1. Custody Services	\$0	\$845,000
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2. Adoption Services	\$0	\$428,000
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Total Department of Children's Services	\$0	\$1,273,000
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TOTAL	\$2,968,800	\$30,631,800
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The Commissioner of Finance and Administration is authorized to establish 32 full-time positions and to allocate them to the appropriate organizational units, including 3 positions for the Commission on Children and Youth. The Commissioner is further authorized to establish additional positions as required to administer the child care program. At June 30, 2000, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 2000.

AND FURTHER AMEND by adding to Section 41 of the printed bill the following new items:

Item _____. In addition to the capital outlay projects identified on pages A-103 and A-104 of the 2000-2001 Budget Document, an additional project for the Military Department, to construct a barracks building at Fort Campbell, Montgomery County, in the amount of \$700,000 from federal funds hereby is acknowledged. The purpose of this project is to house National Guard personnel during training.

Item _____. The Commissioner of Finance and Administration is hereby authorized to establish positions and make appropriate adjustments to the Insurance Administration budget to reflect changes in the contractual arrangements for medical and other insurance coverage provided to state insurance plan participants. The establishment of additional positions and the allotment of additional departmental revenue are subject to approval by the State Insurance Committee.

Item _____. In addition to the appropriations made in Section 4 of this act, there is hereby appropriated to the Department of Environment and Conservation a sum sufficient from revenues produced by Senate Bill 3095 / House Bill 3023 to implement the bill. This appropriation is subject to such bill becoming law.

Item _____. The appropriation of \$5,000 made in Section 12, Item 1005 of the 1998 Appropriations Act to be used for ballfield lighting by the Jonesborough Little League is hereby reappropriated to the Jonesborough Little League for ballfield improvements and/or general use by the Jonesborough Little League.

Item _____. The Commissioner of Finance and Administration is authorized to establish the Division of Accounts as an internal service fund agency and to allocate the appropriation made in Section 1, Title III-2, Item 3.4 to the user agencies and to adjust the appropriation made in Section 4, Title III-2, Item 2.4 to recognize the additional interdepartmental revenue received from the user agencies. There is further appropriated sums sufficient from dedicated and earmarked revenues to provide for the comparable allocation of appropriations to those agencies and programs funded by dedicated and earmarked revenues.

In addition to the appropriations made in Section 4 of this act, there is hereby appropriated to the organizational units and programs of state government all federal aid funds and departmental revenue earnings associated with the allocation and transfer of appropriations authorized under the preceding paragraph in this item.

Item _____. The Commissioner of Finance and Administration is authorized to establish 25 full-time positions and 200 part-time positions in the Department of Agriculture, Division of Forestry, and to adjust the allotments between personal services and benefits and other operating expenditures in the fiscal year beginning July 1, 2000.

Item _____. In addition to the funds appropriated in Sections 1 and 4 of the Public Acts of 1999, Chapter 539, and of this act, there is hereby appropriated to the Tennessee Bureau of Investigation a sum sufficient from the dedicated revenues and departmental revenues collected pursuant to Tennessee Code Annotated, Section 40-32-101(d), for the purpose of establishing and maintaining the expunged criminal offender and pretrial diversion database.

Item _____. From the appropriations to the Department of Mental Health and Mental Retardation, Mental Health Reform, in Section 1, Title III-14, Item 2.9, of this act, the amount of \$1,054,400 is earmarked for the purpose of implementing Senate Bill No. 3076 / House Bill No. 3004, if such bill becomes law. From such appropriation, the amount of \$260,000 is appropriated for the purpose of providing community-based services pursuant to Title 33, Chapter 5, Part 5, if such bill becomes law. The Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenues and to establish seven (7) full-time and three (3) part-time positions, if such bill becomes law. The Commissioner of Finance and Administration is further authorized to transfer funds and positions, as required, between Mental Health Services and Mental Retardation Services, if such bill becomes law.

Item _____. In addition to the funds appropriated in Section 4, Title III-17 to the Department of Human Services, there is hereby appropriated the sum of \$2,000,000 from federal TANF funds to implement Senate Bill No. 1770 / House Bill No. 1849 regarding a financial assistance and service program for relative caregivers of children, if such bill becomes law. There is further appropriated to the Department of Children's Services the sum of \$2,000,000 in interdepartmental revenue to be received from the Department of Human Services, TANF funds.

AND FURTHER AMEND by adding to Section 48 of the printed bill the following new items to read:

Item _____. From the TennCare Reserve, there is earmarked a sum sufficient to provide the state match for an increase in the Long Term Care Global Budgets for the fiscal years 1997-98 and 1998-99. The state match and the corresponding federal funds are hereby appropriated in the fiscal year ending June 30, 2000, to allow reimbursement for Level I and Level II services at the rates established for these periods.

Item _____. Subject to the availability of revenue from intergovernmental transfers, there is hereby appropriated to TennCare a sum sufficient in each of the fiscal years ending June 30, 2000, and June 30, 2001, for Nursing Facility Disproportionate Share Payments, incentive payments to local governments, an increase in payments to Level I and Level II facilities to the 65th percentile, and to the TennCare Reserve. It is the intent that the Long Term Care Global Budgets for fiscal year 1999-2000 and fiscal year 2000-2001 be increased for such payments.

Item _____. From the TennCare Reserve, there is earmarked a sum sufficient to be transferred to the Department of Finance and Administration, Division of Mental Retardation, for the sole purpose of funding a grant contract with Community Services Network of West Tennessee, Inc., to provide certain community services.

Item _____. The Commissioner of Finance and Administration is hereby authorized to expend or lend from the funds appropriated such sums as the Commissioner deems appropriate to assist TennCare HMO(s) in their operations and obtain services from contractors, consultants, and other third parties to give such assistance, such being determined by the General Assembly to be for a public purpose. The commissioner shall provide prompt notification to the Speakers of the Senate and House of Representatives and to the chairs of the Finance, Ways and Means Committees regarding any such expenditure or loan with complete details of the amounts and recipients involved in such transactions.

AND FURTHER AMEND by adding the following new section at the end of the printed bill:

SECTION _____. In addition to the appropriation made in Section 4, Title III-17, Item 2.1 to the Department of Human Services for Child Support, there is hereby appropriated the additional sum of \$155,000,000.00 to recognize child support payments processed by the department because of the implementation of centralized collections of child support payments.

AND FURTHER AMEND by adding a new section to read:

SECTION _____. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it:

Item 1. In addition to the appropriations made in Section 1, Title III-25 of this act, there is appropriated the sum of \$8,500,000 to the TennCare Program.

Item 2. In addition to the appropriation made in Section 1, Title III-22 of this act there is appropriated the sum of \$2,463,000 to the Department of Children's Services to fully fund the second year of the Child Welfare League report recommendations. There is further appropriated the sum of \$910,800 to TennCare to provide the state match for TennCare's share of the cost to fund the recommendations.

Item 3. In addition to the appropriations made in Section 1, Title III-22 of this act, there is appropriated the sum of \$99,000 to the Department of Children's Services to fund the Children's Program Outcome Review Team (C-PORT) in the Commission on Children and Youth.

Item 4. In addition to the appropriations made in Section 1, Title III-17 of this act, there is appropriated the sum of \$3,673,300 to the Department of Human Services to fund the Child Support Enforcement Program in Shelby and Hamilton Counties.

Item 5. In addition to the appropriations made in Section 1, Title III-17 of this act, there is appropriated the sum of \$82,200 to the Department of Human Services to fund positions for three attorneys and two legal assistants.

Item 6. In addition to the appropriations made in Section 1, Title II of the 1999 Appropriations Act and in Section 1, Title II of this act, there is hereby appropriated the sum of \$3,300,000 in the fiscal year ending June 30, 2000 and the sum of \$3,300,000 in the fiscal year ending June 30, 2001 to fund the Indigent Defendants' Counsel Program.

Item 7. There is hereby appropriated to the Department of Finance and Administration the sum of \$100,000 in the fiscal year ending June 30, 2000 and the sum of \$100,000 in the fiscal year ending June 30, 2001 for the purpose of funding the Forensic Center at the James H. Quillen College of Medicine.

Item 8. There is hereby appropriated to the Department of Commerce and Insurance the sum of \$400,000 to fund the cost of telephones and the PBX system for the new Fire Service and Codes Enforcement Academy. There is further appropriated the sum of \$70,000 to the Department of Environment and Conservation to fund similar telephone costs for the Environmental Assistance Center.

Item 9. In addition to any other funds appropriated by the provisions of this act there is appropriated a sum sufficient to the Department of Finance and Administration for distribution to the appropriate entities for the sole purpose of implementing the provisions of HB 1130 – SB 1614; HB 2365 – SB 3172; and HB 3018 – SB 3091, if such bills become law. It is the legislative intent that if funding is earmarked for such implementation in such bills that the funds appropriated in this item be reduced accordingly.

by deleting Item 4 of Section 10 of the original bill in its entirety and by substituting instead the following:

Item 4. From the funds appropriated to the TennCare Program, the state shall comply with applicable federal law.

by adding the following new items at the end of Section 10:

Item _____. The appropriation made to the Department of Environment and Conservation by the provisions of this act is reduced by the sum of \$2,500,000. Such funding reduction is for the purpose of reducing state funding of state resort parks. It is the legislative intent that such parks become self-sufficient by fiscal year 2002-03.

Item _____. From the funds appropriated to the Department of Environment and Conservation by the provisions of this act, a sum sufficient is earmarked to keep open all state parks that were open on January 1, 1999, and proposed to be closed or operated at a reduced level of services or access, at the level of operation of such parks in effect on July 1, 1999.

by deleting Section 54 of the original bill in its entirety.

AND FURTHER AMEND by deleting Section 55 of the original bill in its entirety.
by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Tennessee State University by the provisions of this act is reduced by the sum of \$1,658,300. Such funding reduction is for the purpose of recovering over-appropriations to Tennessee State University in fiscal years 1998-99 and 1999-2000. It is the legislative intent that funds currently held in reserve by Tennessee State University be transferred to the Tennessee State University operating fund to cover any shortfall in revenue resulting from this reduction.

by adding the following new item at the end of Section 10:

Item _____. The appropriation made to Austin Peay State University by the provisions of this act is reduced by the sum of \$826,500. Such funding reduction is for the purpose of recovering over-appropriations to Austin Peay State University in fiscal years 1998-99 and 1999-2000. It is the legislative intent that funds currently in the Austin Peay State University reserve fund be transferred to the Austin Peay State University operating fund and that funds be transferred from the Board of Regents reserve fund to the Austin Peay State University operating fund to cover any shortfall in revenue resulting from this reduction.

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$85,000 to the Department of Military for the sole purpose of funding health care services pursuant to the Mediguard Program.

by adding the following new item at the end of Section 10:

Item _____. Beginning on or before September 1, 2000, the Commissioner of Finance and Administration and the TennCare Bureau shall provide monthly reports to the Fiscal Review Committee regarding the expenditure of all base and improvement funds made available by the provisions of this act for the TennCare program. Such reports shall include, but not be limited to, a detailed accounting of the timeliness and amounts of the following types of payments: (1) enhanced payments to providers; (2) essential provider payments; (3) third-party contractor payments; and (4) any expenditures or loans made by the Commissioner of Finance and Administration to or for the benefit of any TennCare MCO to assist in its operations or obtain services from contractors, consultants, and any other third party. Such reports shall also include any other information requested by the chair of the fiscal review committee.

No incentives shall be given to MCOs to join or remain in the TennCare Program until fifteen (15) days written notice detailing the proposed incentives have been provided to the Fiscal Review Committee.

by adding the following new item at the end of Section 41:

Item _____. From funds in the TennCare Reserve Fund, there is appropriated the sum of \$72,000,000 for the purpose of making essential provider payments. The payments to be funded are: a) essential access hospitals \$60,000,000; b) pediatric primary care pool \$5,000,000; c) federally qualified health centers \$2,000,000; and d) specialty outpatient providers \$5,000,000. The Comptroller of the Treasury and the Commissioner of Finance and Administration shall develop a payment methodology and recommend the appropriate distribution of funds. They may engage an independent third party recommended by the TennCare Steering Committee to assist them in this activity. It is the legislative intent to distribute the funds no later than sixty days after the funds are appropriated.

by adding the following new item at the end of Section 10:

Item _____. It is the legislative intent to recognize the draw down of federal TANF-Medicaid outreach funds in the amount of \$9,200,000. Such funds shall be used for federally authorized outreach programs for recipients under TennCare or Families First.

by adding the following new item at the end of Section 10:

Item _____. It is the legislative intent that the funds allocated to the general fund from the litigation tax in Section 67-4-606, if House Bill No. 3364 / Senate Bill No. becomes law, be applied to fund the improvements provided in this act to the Department of Safety. This item does not constitute an appropriation of additional funds.

by adding the following new item at the end of Section 12:

In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Bureau of TennCare Services the sum of \$60,000,000 to achieve actuarial funding of the TennCare program.

by adding the following new item at the end of Section 10:

Item _____. The Administrative Office of the Courts shall study the issue of state payment of costs and fees incurred in the prosecution of indigents. Such study shall include payment of duplicative expenses for indigents, appropriateness of state payments on the behalf of indigents, and recommend the appropriate level of state payments to local governments and court clerks. Such report shall be filed with the Fiscal Review Committee no later than September 30, 2000. The Fiscal Review Committee shall examine the report made by the Administrative Office of the Courts and make its recommendations on the issue of state payment of costs and fees incurred in the prosecution of indigents to the General Assembly no later than January 31, 2001.

by deleting Items 2 and 3 of the original Section 52 in their entirety.

by deleting Item 1 of the original Section 7 in its entirety and by substituting instead the following:

Item 1. It is the legislative intent that annual dues assessed by the Council of State Governments (CSG) and the National Conference of State Legislatures (NCSL) be paid quarterly and timely from the funds appropriated in Section 1, Title III-2, Item 1.2 (Intergovernmental Conferences and Special Operations). CSG dues for 2000-2001 shall be remitted in four (4) equal payments \$26,794.25 (\$107,177 annualized), and NCSL dues shall be remitted in four (4) equal payments \$31,088.75 (\$124,355 annualized).

by deleting Section 49 in its entirety and by appropriately renumbering the subsequent sections accordingly.

On motion, Finance, Ways and Means Committee Amendment No. 2 was adopted.

Rep. Stulce moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 2790 by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$4,592,000 to the department of finance and administration for the sole purpose of making a grant in such amount to the department of finance and administration, to be used for paying debt service on bonds and state costs for construction of a new engineering, math and computer building at the University of Tennessee at Chattanooga.

Rep. Stulce moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. West moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 2790 by adding the following new item at the end of Section 10:

Item _____. No funds appropriated to the department of transportation by the provisions of this act shall be used for development, construction, or operation of the east corridor community railway that is scheduled to convey passengers from Wilson and Davidson Counties.

Rep. Bone moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes.....	57
Noes	24
Present and not voting	9

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Gunnels, Hargrove, Hood, Kent, Kisber, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Phelan, Phillips, Pinion, Rhinehart, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Walker, Walley, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 57.

Representatives voting no were: Arriola, Briley, Brooks, Brown, Buck, Bunch, Chumney, Cooper, Godsey, Harwell, Hassell, Jones S., Kernell, Kerr, Langster, McAfee, McCord, Montgomery, Odom, Pruitt, Todd, Towns, Turner (Hamilton), West -- 24.

Representatives present and not voting were: Goins, Hargett, Jackson, Jones U., Newton, Patton, Pleasant, Ridgeway, Tidwell -- 9.

Rep. Ridgeway moved the previous question, which motion prevailed.

Rep. McDaniel moved that **House Bill No. 2790**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	80
Noes	17

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Gunnels, Hargrove, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Walker, Walley, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 80.

Representatives voting no were: Beavers, Black, Bunch, Davis (Washington), Godsey, Goins, Hagood, Hargett, Harwell, McAfee, McCord, Montgomery, Mumpower, Odom, Todd, West, Westmoreland -- 17.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 809 out of order, which motion prevailed.

House Joint Resolution No. 809 -- General Assembly, Recess & Reconvene - Recesses House of Representatives at the close of business on Thursday, June 1, 2000 and reconvenes House on Tuesday, June 6, 2000. by *Hargrove, *McDaniel.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hargrove, and seconded by Rep. McDaniel, the resolution was adopted.

A motion to reconsider was tabled.

SUPPLEMENTAL REGULAR CALENDAR, CONTINUED

***House Bill No. 2791** -- Bond Issues - Authorizes \$297,400,000 bond issue to fund state projects. by *McDaniel, *Kisber. (SB2976 by *Henry, *McNally, *Atchley)

Rep. McDaniel moved that House Bill No. 2791 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2791 By deleting the language "two hundred ninety-seven million, four hundred thousand dollars (\$297,400,000) in Section 1 of the original bill and by substituting instead the language "one hundred sixty-two million, nine hundred forty thousand dollars (\$162,940,000)".

AND FURTHER AMEND by deleting the language "One hundred ninety million, three hundred thousand dollars (\$190,300,000)" in subdivision (1) of the original Section 4 and by substituting instead the language "Fifty-five million, eight hundred forty thousand dollars (\$55,840,000)".

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. McDaniel moved that **House Bill No. 2791**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Beavers, Black -- 2.

A motion to reconsider was tabled.

***House Bill No. 2792** -- Appropriations - Specifies that index of appropriations from state tax revenues for 2000-2001 fiscal year may exceed index of estimated growth in state's economy by \$226 million or 2.67 percent. by *McDaniel, *Kisber. (SB2978 by *Henry, *McNally, *Atchley)

Rep. McDaniel moved that **House Bill No. 2792** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	83
Noes	1
Present and not voting	9

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Gunnels, Hargrove, Hassell, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 83.

Representatives voting no were: Beavers -- 1.

Representatives present and not voting were: Black, Bunch, Buttry, Davis (Washington), Godsey, Hagood, Hargett, Harwell, Mumpower -- 9.

A motion to reconsider was tabled.

***House Bill No. 2793** -- Appropriations - Specifies that index of appropriations from state tax revenues for 1999-2000 fiscal year may exceed index of estimated growth in state's economy by \$1 million or 0.01 percent. Amends TCA Title 9, Chapter 4, Part 52. by *McDaniel, *Kisber. (SB2989 by *Henry, *McNally, *Atchley)

Rep. McDaniel moved that **House Bill No. 2793** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	84
Noes	0
Present and not voting	10

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Gunnels, Hargrove, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 84.

Representatives present and not voting were: Beavers, Black, Bunch, Buttry, Davis (Washington), Godsey, Hagood, Hargett, Harwell, Mumpower -- 10.

A motion to reconsider was tabled.

***House Bill No. 3360** -- Comptroller, State - Clarifies audit authority of the comptroller of the treasury. Amends TCA Title 8, Chapter 4. by *Kisber, *McDaniel. (SB3349 by *Henry, *Person)

Rep. Kisber moved that **House Bill No. 3360** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Stulce moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 807 out of order, which motion prevailed.

House Joint Resolution No. 807 -- Memorials, Sports - Soddy-Daisy High School softball team, 2000 TSSAA Class AAA state champions. by *Stulce.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Stulce, the resolution was adopted.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

House Bill No. 2326 -- TennCare - Requires certain reports related to TennCare program to be made to general assembly. Amends TCA Title 3; Title 33; Title 36; Title 37; Title 41; Title 47; Title 56; Title 63; Title 68 and Title 71. by *Kisber, *Walker (Rhea). (*SB2147 by *Cooper)

Rep. Kisber moved that House Bill No. 2326 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2326 by deleting sections 1, 2 and 3, adding the following new section and renumbering the remaining section accordingly:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 1, Part 1, is amended by adding the following as a new section to be appropriately designated.

Section 71-1-1. (a) It is the intent of the general assembly to stabilize the TennCare healthcare provider network and to work diligently to assure that healthcare facilities providing services to both urban and rural TennCare enrollees remain viable entities.

(b) The State of Tennessee shall establish a special account in the general fund designated as the "TennCare Hospital Reserve Fund." This fund shall be established to recognize in part the uncompensated losses of Tennessee's public hospitals. The monies placed in the fund shall come only from existing funds or proper designation through the state's appropriations process. This fund shall be utilized exclusively to furnish direct reimbursement to hospitals that provide an above average amount of charity and TennCare healthcare services as defined in this section. Any amounts placed in the fund shall be distributed, in accordance with the provisions of the general appropriations bill, on an annual basis to reimburse the following classes of hospitals for the provision of uncompensated healthcare services:

(1) Acute care hospitals that treat TennCare enrollees and provide essential, unduplicated services, such as state designated regional perinatal services, Level I trauma, or specialized pediatric services, to a multi-county region of the State of Tennessee. These hospitals shall be referred to as "essential services safety net hospitals".

(2) Public, sole community, small and/or rural hospitals that provide healthcare services to TennCare enrollees. These hospitals shall be referred to as "essential access hospitals".

(3) Other acute care hospitals that provide disproportionate amounts of unreimbursed TennCare services. These hospitals shall be referred to as "disproportionate share hospitals". An independent contractor selected and retained by the state comptroller shall recommend the methodology governing the distribution of the fund, which distribution shall occur on an annual basis. The contractor shall recommend the amount of distribution among the three classes of qualifying hospitals, and shall recommend the threshold levels of charity care and TennCare services provided by a qualifying hospital that will determine the amount of the distribution the qualifying hospital will receive from the fund. The state comptroller shall review and revise, if necessary, the recommendations of the contractor and shall present such recommendations to the commissioner of finance and administration and the general assembly prior to January 1 of each fiscal year. The contractor's fee shall be paid from the proceeds of the fund prior to any distribution of the fund. Any amounts appropriated for this fund shall be distributed by no later than June 30 of each fiscal year.

On motion, Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 was adopted.

Rep. Kisber moved that **House Bill No. 2326**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	90
Noes.....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Stulce, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: McDaniel -- 1.

A motion to reconsider was tabled.

***House Bill No. 2205** -- Motor Vehicles, Titling and Registration - Authorizes issuance of "Preservation Through Restoration" new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to benefit historical preservation and restoration efforts in Tennessee Amends TCA Title 55, Chapter 4, by *Tindell, *West, *Arriola, *Chumney, *Armstrong, *Dunn, *Buttry, *Bittle, *Hagood, *Boyer. (SB2619 by *McNally, *Williams)

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

On motion, House Bill No. 2205 was made to conform with **Senate Bill No. 2619**; the Senate Bill was substituted for the House Bill.

Rep. Tindell moved that Senate Bill No. 2619 be passed on third and final consideration.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2619 by deleting subsection (d) from Section 2 of the introduced bill in its entirety and by substituting instead the following language:

(d) Notwithstanding any provision of this part to the contrary, all funds produced from the sale of such "Preservation Through Restoration" new specialty earmarked license plates, after deducting the expense the department has incurred in designing, manufacturing and marketing such plates, shall be deposited in the general fund.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Phelan moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2619 By adding the following language as new, appropriately designated sections immediately preceding the effective date section:

SECTION _____. Notwithstanding the provisions of Chapter 674 of the Public Acts of 2000 or any other provision of law to the contrary, the cultural plate authorized by §55-4-297 shall have one (1) year from the effective date of this act to meet the minimum issuance requirements of §55-4-201.

SECTION _____. Notwithstanding the provisions of Chapter 316 of the Public Acts of 1999 or any other provision of law to the contrary, all funds produced from the sale of the cultural plate authorized by §55-4-297, after deducting the expense the department has incurred in designing, manufacturing and marketing such plates, shall be deposited in the general fund.

SECTION _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 2 was adopted.

Rep. Walley moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 2619 By adding the following language as new, appropriately designated sections immediately preceding the effective date section:

SECTION _____. Tennessee Code Annotated, Section 55-4-244, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) The registration plates shall be of such distinctive design as approved by the commissioner of safety and may include the appropriate emblem of the branch of service of the recipient of the plate.

SECTION _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 3 was adopted.

Rep. Tindell moved that **Senate Bill No. 2619**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 94
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

***House Bill No. 780** -- Surveyors - Requires professional land surveyor to make reasonable efforts to notify adjoining landowners that survey will be performed instead of only notifying adjoining landowners upon whose land it is necessary to enter. Amends TCA Section 62-18-124, by *McDaniel. (SB1269 by *Springer, P, *Cooper)

Further consideration of House Bill No. 780 previously considered on today's Calendar.

Rep. McDaniel moved that House Bill No. 780 be reset for the Regular Calendar on June 7, 2000, which motion prevailed.

***Senate Bill No. 2738** -- Financial Disclosure - Deletes maximum aggregate contribution limit of 50 percent of total contributions for offices elected by statewide elections and \$75,000 in aggregate for any other state or local public office which candidates may accept from multicandidate political campaign committees for each election. Amends TCA Title 2, Chapter 10, by *Rochelle. (HB3067 by *Kisber)

Further consideration of Senate Bill No. 2738 previously considered on today's Calendar.

Rep. Robinson requested that Senate Bill No. 2738 be moved down 2 places on the Calendar.

***House Bill No. 3034** -- Custody and Support - Makes various changes to provisions governing determination of paternity; child support payments; child support collection and enforcement; termination and modification of support orders; and transfer of child support and custody cases Amends TCA Titles 8, 16, 17, 18, 24, 36, 37, 45, 50, 68 and Title 71. by *Scroggs. (SB3106 by *Person)

Rep. Scroggs requested that House Bill No. 3034 be moved down 4 places on the Calendar.

***Senate Joint Resolution No. 629** -- Constitutional Amendments - Proposes amendment to Constitution of Tennessee, Article VI, Section 14, to permit general assembly to define, regulate and set maximum amount of civil penalties. by *Haynes, *Cohen.

Rep. Hargrove requested that the Clerk read Senate Joint Resolution No. 629 for the first Constitutional reading, according to the Tennessee Constitution.

The Clerk read Senate Joint Resolution No. 629.

Rep. Hargrove moved that Senate Joint Resolution No. 629 be reset for the Regular Calendar on June 6, 2000, for second reading, which motion prevailed.

***Senate Bill No. 2738** -- Financial Disclosure - Deletes maximum aggregate contribution limit of 50 percent of total contributions for offices elected by statewide elections and \$75,000 in aggregate for any other state or local public office which candidates may accept from multicandidate political campaign committees for each election. Amends TCA Title 2, Chapter 10. by *Rochelle. (HB3067 by *Kisber)

Further consideration of Senate Bill No. 2738 previously considered on today's Calendar.

Rep. McMillan moved that Senate Bill No. 2738 be passed on third and final consideration.

Rep. U. Jones requested that State and Local Government Committee Amendment No. 1 be placed at the heel of the Amendments.

Rep. McMillan requested that Amendment No. 2 be placed at the heel of the Amendments.

Rep. McMillan requested that Amendment No. 3 be placed at the heel of the Amendments.

Rep. McMillan requested that Amendment No. 4 be placed at the heel of the Amendments.

Rep. U. Jones requested that Amendment No. 5 be placed at the heel of the Amendments.

Rep. McMillan requested that Amendment No. 6 be placed at the heel of the Amendments.

Rep. McMillan requested that Amendment No. 7 be placed at the heel of the Amendments.

Rep. McMillan moved adoption of Amendment No. 8 as follows:

Amendment No. 8

AMEND Senate Bill No. 2738 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-10-302(d), is amended by adding the following language at the end of the subsection:

If the registry determines that a candidate has exceeded the limits set forth in subdivision (1) or (2), the registry shall notify the candidate within five (5) business days of such fact and the candidate shall have ten (10) business days after the receipt of such notification to return or refund the excess to the person(s) who made the contribution(s) before the acceptance of such contribution(s) becomes a violation of this part.

SECTION 2. Tennessee Code Annotated, Section 2-10-102(6), is amended by deleting the subdivision in its entirety, and by substituting instead the following language:

(6) "File" or "filed" means the date actually deposited with or received by the appropriate office.

SECTION 3. Tennessee Code Annotated, Title 2, Chapter 10, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section _____. To be timely filed a disclosure report must be filed with the appropriate office on the due date by hand-delivery, overnight mail postmarked the day before the report is due, facsimile, or electronically in a form approved by the registry or county election commission as appropriate. If a report is filed with the registry or county election commission by facsimile or electronically the original report must be placed in the mail and postmarked on the date the report is due.

SECTION 4. Tennessee Code Annotated, Section 2-10-110, is amended as follows:

(1) in subsection (a)(1)(A) by deleting the second sentence in its entirety and by substituting instead the following language:

A civil penalty of twenty-five dollars (\$25.00) a day shall begin to accrue on the day following the date the report is due and will continue to accrue until the report is filed or for thirty (30) days, whichever occurs first.

(2) in subsection (a)(1)(E) by deleting the second sentence in its entirety and by substituting instead the following language:

A civil penalty of twenty-five dollars (\$25.00) a day shall begin to accrue on the day following the date the report is due and will continue to accrue until the report is filed or for thirty (30) days, whichever occurs first.

(3) in subsection (a)(2) by deleting the first sentence in its entirety and by substituting instead the following language:

"Class 2 offense" means failing to file a report required by this part within thirty (30) days following the date the report is due or any other violation of the requirements of this part.

SECTION 5. Tennessee Code Annotated, Section 8-50-505 is amended by deleting the language ", by Acts 1989, Ch. 585".

SECTION 6. Tennessee Code Annotated, Title 2, Chapter 10, is amended by adding the following sections as a new part.

SECTION _____. This part shall be known and may be cited as the "Governor's Inauguration Finance Disclosure Act."

SECTION _____. No later than thirty (30) days after being elected to the office of governor, the governor-elect shall establish a governor's inauguration expense fund which shall be used to finance any event or events held for the purpose of celebrating the governor's inauguration. Such fund is subject to the contribution limits and reporting requirements provided in this part.

SECTION _____. (a) No person shall make contributions for the governor's inauguration which, in the aggregate exceed two thousand five hundred dollars (\$2,500).

(b) No multicandidate political campaign committee shall make contributions for the governor's inauguration which, in the aggregate, exceed seven thousand five hundred dollars (\$7,500).

(c) The governor-elect may transfer funds from such governor-elect's campaign fund to the inauguration fund.

SECTION _____. (a) The governor-elect shall file with the registry of election finance a statement of all contributions received and all expenditures made by or on behalf of such governor-elect's inauguration fund.

(b) A statement filed under this section shall consist of either:

(1) A statement that neither the contributions received nor the expenditures made during the period for which the statement is submitted exceeded one thousand dollars (\$1,000) or

(2) A statement setting forth:

(A) Under contributions, a list of all the contributions received, as follows:

(i) The statement shall list the full name and complete address of each person who contributed a total amount of more than five hundred dollars (\$500) during the period for which the statement is submitted, and the amount contributed by that person. The statement shall include the date of the receipt of each contribution; and

(ii) The statement shall list as a single item the total amount of contributions of five hundred dollars (\$500) or less; and

(B) Under expenditures, a list of all expenditures made as follows:

(i) The statement shall list the full name and address of each person to whom a total amount of more than five hundred dollars (\$500) was paid during the period for which the statement is submitted, the total amount paid to that person, and the purpose thereof; and

(ii) The statement shall list the total amount of expenditures of five hundred dollars (\$500) or less each, by category, without showing the exact amount of or vouching for each such expenditure.

(c) The financial disclosure statement for contributions made up until thirty (30) days before any inauguration event shall be filed no later than ten (10) days before the governor's inauguration. The financial disclosure statement for all other contributions shall be filed no later than (30) days after the governor's inauguration.

SECTION ____ (a) The governor-elect may hold over funds from such governor-elect's first inauguration to be used in a second inauguration if such governor-elect is re-elected. If such governor-elect is in a second term, chooses not to run for re-election or is not re-elected, such governor-elect has ninety (90) days to donate any funds remaining in the governor's inauguration fund to a non-profit organization. The governor-elect may request an extension of an additional sixty (60) days from the registry of election finance to donate such remaining funds.

(b) Once the funds have been donated as provided subsection (a), a financial disclosure statement shall be filed with the registry of election finance disclosing who received such funds and the amount of such donation.

SECTION 7. Tennessee Code Annotated, Section 2-10-303(5), is amended by adding the following language after the first sentence:

It is an expenditure within the meaning of this subdivision where the candidate or the candidate's committee or agent may exercise control over, or where there has been substantial discussion or negotiation between the candidate or the candidate's committee or agent and the person making the expenditure over, a communication's contents, timing, location, mode, intended audience or volume.

SECTION 8. Tennessee Code Annotated, Section 2-10-105, is amended by adding the following language as a new subsection (j):

(j) If a person makes a purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value for a communication, except those communications exempt under §2-10-102(3)(B), (C) or (D), that refers to one or more clearly identified candidates for state public office by name, picture, likeness, or otherwise, and such communication is transmitted through radio, television, billboard, newspaper, magazine or other periodical, or any other medium within sixty (60) days of the date of an election, then, if the total disbursements or obligations of such person for such communication related to any particular candidate for state public office exceeds two hundred fifty dollars (\$250) at any time within such sixty (60) days, such person shall file a statement with the registry of election finance disclosing all receipts and disbursements made related to such communication within three (3) days of such date and otherwise on the dates set forth in this section for reports by candidates, except that the deadlines contained in subsection (h) shall apply to any disbursements by the person in excess of twenty five hundred (\$2,500). Reports filed pursuant to this subsection shall contain the information described in subsection (h) or in Section 2-10-107, as appropriate.

SECTION 9. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 10. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 8 was adopted.

Rep. McMillan moved that Senate Bill No. 2738 be reset for the Regular Calendar on June 6, 2000, which motion prevailed.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1920** -- Public Funds and Financing - Increases amount of penalty for nonpayment of check or money order from 1 to 2 percent of amount of instrument. Amends TCA Title 9; Title 45; Title 56 and Title 67. by *Walley, *Whitson, *Kisber, *Winningham. (SB1811 by *Henry, *Henry)

On motion, House Bill No. 1920 was made to conform with **Senate Bill No. 1811**; the Senate Bill was substituted for the House Bill.

Rep. Walley moved that Senate Bill No. 1811 be reset for the Regular Calendar on June 6, 2000, which motion prevailed.

House Bill No. 3269 -- Constitutional Conventions - Proposes amendment to Article II, Sections 28 and 29, relative to taxation; Article II, Section 31, relative to state investments; Article VI, Section 14, relative to fines; Article VII, Section 1, relative to county officers and county government; Article X, Sections 4 and 5, relative to consolidation of counties and creation of new counties; Article XI, Section 5, relative to the prohibition of lotteries and the sale of lottery tickets; Article XI, Section 9, relative to consolidation of municipal and county functions; and Article XI, Section 12, relative to education. by *Rinks, *Newton. (*SB3239 by *Cooper)

Rep. Rinks moved that House Bill No. 3269 be passed on third and final consideration.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3269 By deleting the first sentence of Section 6 in its entirety and by substituting instead the following:

It is the duty of each county election commission to include in the regular publication prior to the November election the fact that a constitutional convention election is to be held in the state on Tuesday, November 7, 2000.

AND FURTHER AMEND by deleting the word "also" in the third sentence of Section 6.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Williams moved that House Bill No. 3269 be reset for the Regular Calendar on June 6, 2000, which motion prevailed.

***House Bill No. 3034** -- Custody and Support - Makes various changes to provisions governing determination of paternity; child support payments; child support collection and enforcement; termination and modification of support orders; and transfer of child support and custody cases Amends TCA Titles 8, 16, 17, 18, 24, 36, 37, 45, 50, 68 and Title 71. by *Scroggs. (SB3106 by *Person)

Further consideration of House Bill No. 3034 previously considered on today's Calendar.

On motion, House Bill No. 3034 was made to conform with **Senate Bill No. 3106**; the Senate Bill was substituted for the House Bill.

Rep. Scroggs moved that Senate Bill No. 3106 be passed on third and final consideration.

On motion, Rep. Churney withdrew Children and Family Affairs Committee Amendment No. 1.

Rep. Fitzhugh requested that Amendment No. 2 be placed at the heel of the Amendments.

Rep. Turner (Hamilton) requested that Amendment No. 3 be placed at the heel of the Amendments.

Rep. Head requested that Finance, Ways and Means Amendment No. 1 as House Amendment No. 4 be placed at the heel of the Amendments.

Rep. Head requested that Finance, Ways and Means Amendment No. 2 as House Amendment No. 5 be placed at the heel of the Amendments.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 3 as House Amendment No. 6 as follows:

Amendment No. 6

AMEND Senate Bill No. 3106 by deleting, in its entirety, Section 19 and by substituting instead the following:

SECTION 19. Tennessee Code Annotated, Section 36-5-501(a), is amended by deleting subdivision (3) in its entirety and by substituting instead the following:

(3)(A) When health insurance is required to be provided by an employee pursuant to a court or administrative order, the employer, the health insurance provider, the plan administrator or such other entity that provides health insurance, upon receipt of an income assignment on such employee, which appears regular on its face and which requires a child to be enrolled in a health insurance plan, shall:

(1) allow claims to be filed by the custodial parent or by the state;

(2) provide the custodial parent or the state with all necessary forms and information and enrollment documents necessary to submit claims on behalf of the child or children;

(3) send the explanation of benefit statements to both the custodial parent as well as the employee; and

(4) shall send reimbursement to the custodial parent or legal guardian for expenses paid by the custodial parent or legal guardian.

(B) The employer, after receiving an income assignment containing a health insurance form promulgated by the department or any form required by the federal government shall immediately provide a copy of the income assignment to the appropriate health insurance provider or other entity that is responsible for enrollment of the child or children. The employer, the health insurance provider or such other entity shall have forty (40) days in which to enroll the child or children in the appropriate plan subject to the employee's right to appeal pursuant to Section 36-5-1001, et seq.

On motion, Finance, Ways and Means Committee Amendment No. 3 as House Amendment No. 6 was adopted.

Rep. Fitzhugh moved adoption of Amendment No. 7 as follows:

Amendment No. 7

AMEND Senate Bill No. 3106 by adding the following new, appropriately designated subsections to the end of Section 14 of the printed bill:

(--) Effective July 1, 2001, any child support payment disbursed pursuant to this section that is untimely shall include an additional payment equal to ten percent (10%) of the child support payment if the untimeliness of distribution is attributable to the fault of the department. "Untimely" for purposes of this subsection means that distribution of the support payment does not meet the timeliness standards established pursuant to 42 U. S. C. § 652, and regulations promulgated thereto. The ten percent (10%) additional payment shall be derived from the department's current budget.

(--) Effective July 1, 2001, any costs incurred by the department to implement the provisions of this section shall be paid from child support fees paid to and retained by the department for administrative costs. The department shall not increase the percentage of fees that it retains to fund this section.

On motion, Amendment No. 7 was adopted.

Rep. Fitzhugh moved that Amendment No. 2 be withdrawn, which motion prevailed.

THURSDAY, JUNE 1, 2000 — EIGHTY-FIFTH LEGISLATIVE DAY

Rep. Turner (Hamilton) moved that Amendment No. 3 be withdrawn, which motion prevailed.

On motion, Rep. Head withdrew Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 4.

On motion, Rep. Head withdrew Finance, Ways and Means Committee Amendment No. 2 as House Amendment No. 5.

Rep. Patton moved the previous question, which motion prevailed.

Rep. Scroggs moved that **Senate Bill No. 3106**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	69
Noes	3
Present and not voting	3

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Churnney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 89.

Representatives voting no were: Cooper, DeBerry L., Towns -- 3.

Representatives present and not voting were: Armstrong, Brooks, Turner (Hamilton) -- 3.

A motion to reconsider was tabled.

House Bill No. 2880 -- Securities - Repeals taxes on the gross profits and shares of stock investment companies. Amends TCA Title 56, Chapter 4 and Title 67, Chapter 5, by *Fitzhugh, *Scroggs, *McDaniel, *Kent, *Garrett. (*SB2259 by *Cohen, *McNally, *Atchley, *Dixon, *Crowe, *Rochelle, *Herron)

On motion, House Bill No. 2880 was made to conform with **Senate Bill No. 2259**; the Senate Bill was substituted for the House Bill.

Rep. Fitzhugh moved that **Senate Bill No. 2259** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 3259 -- Taxes - Establishes procedures whereby county government may impose real property transfer tax. Amends TCA Title 67, Chapter 4, by *Head. (*SB3147 by *Kyle)

Rep. Head moved that House Bill No. 3259 be reset for the Regular Calendar on June 6, 2000, which motion prevailed.

***House Bill No. 964** -- Contractors - Authorizes board of contractors to use line of credit for purposes of determining financial condition of applicant. Amends TCA Title 62, Chapter 6, by *Head. (SB1293 by *Davis L)

On motion, House Bill No. 964 was made to conform with **Senate Bill No. 1293**; the Senate Bill was substituted for the House Bill.

Rep. Head moved that Senate Bill No. 1293 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Head moved that **Senate Bill No. 1293** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2677 -- Public Records - Allows any governmental agency to impose fee for production of electronic data or maps and papers generated through GIS project; requires such fee to reflect cost of agency in developing and maintaining the electronic data. Amends TCA Section 10-7-506. by *McDaniel. (*SB2802 by *Womack)

On motion, House Bill No. 2677 was made to conform with **Senate Bill No. 2802**; the Senate Bill was substituted for the House Bill.

Rep. McDaniel moved that Senate Bill No. 2802 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. McDaniel moved that **Senate Bill No. 2802** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2759 -- Driver Licenses - Establishes installment plan administered by department of safety for fees associated with reinstatement or restoration of suspended or revoked driver license; adds Davidson County to counties authorized to establish payment plans for local fines or costs. Amends TCA Title 55. by *Robinson, *Briley. (*SB2350 by *Henry, *Haynes, *Dixon)

Further consideration of House Bill No. 2759 previously considered on May 25, 2000, at which time it the House concurred in Senate Amendment(s) No(s) 6.

Senate Amendment No. 1

AMEND House Bill No. 2759 By adding the following language between the first and second sentences of the amendatory language of subdivision (6) of Section 1 of the printed bill:

The commissioner has the authority to establish a fee for participation in the installment plan authorized by this subsection.

Senate Amendment No. 4

AMEND House Bill No. 2759 By deleting subdivision (4)(B) of the amendatory language of Section 1 in its entirety and by substituting instead the following:

(4)(B) Upon request of such person within thirty (30) days of the date of such notification, the department shall provide the person an opportunity for a hearing to show that such person has, in fact, complied with the department's payment plan. Failure to make such request within thirty (30) days of the date of such notification shall, without exception, constitute a waiver of such right.

Rep. Robinson moved that the House concur in Senate Amendment(s) No(s). 1 and 4 to **House Bill No. 2759**, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2784 -- Sexual Offenses - Makes federally required changes to Sexual Offender Registration and Monitoring Act concerning sexually violent predators and offenders who work or are students in this state and reside in another state. Amends TCA Title 40, Chapter 39. by *Turner (Hamilton), *Sargent, *Stulce. (*SB2661 by *Crowe)

Further consideration of House Bill No. 2784 previously considered on May 31, 2000, at which time it was reset for today's Message Calendar.

Senate Amendment No. 3

AMEND House Bill No. 2784 by deleting subsection (4)(B) of the amendatory language of SECTION 1 as amended by Senate Judiciary Committee Amendment # 1 and substituting instead the following:

(B) Rape under § 39-13-503(a)(1) or § 39-13-503(a)(3);

Rep. Turner (Hamilton) moved that the House nonconcur in Senate Amendment(s) No(s). 3 to House Bill No. 2784, which motion prevailed.

Senate Amendment No. 2

AMEND House Bill No. 2784 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 40-39-102, is amended by adding the following new items (xvi) and (xvii) to subsection (3)(A) and by renumbering present items accordingly:

(xvi) Sexual battery by an authority figure, under § 39-13-527;

(xvii) Aggravated incest, under § 39-15-303, (provided Senate Bill 3064/House Bill 2991 of the 101st general assembly is enacted and becomes law);

Senate Amendment No. 4

AMEND House Bill No. 2784 by deleting subsection (g) of the amendatory language of SECTION 2 as amended by Senate Judiciary Committee Amendment # 1 and substituting instead the following:

(g) (1) A person required to register under this part shall continue to comply with the registration and quarterly monitoring requirements for the life of that person if that person:

(A) Has one or more prior convictions for a sexual offense as defined in §40-39-102(3), or

(B) Has been convicted of a sexually violent offense as described in §40-39-102(4).

(2) As used in subpart (1)(A) of this subsection, "prior conviction" means any conviction for a sexual offense as defined in § 40-39-102(3) occurring prior to the date of the offense for which the offender is currently required to register.

Rep. Turner (Hamilton) moved that the House concur in Senate Amendment(s) No(s). 2 and 4 to **House Bill No. 2784**, which motion prevailed by the following vote:

Ayes..... 95
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2854 -- Housing - Redefines "project" under special corporations statute to remove requirement that project's bonds could only be sold to certain federal government sponsored mortgage entities for certain housing projects in Shelby County. Amends TCA Section 48-101-301. by *Bowers. (*SB2809 by *Cohen, *Dixon, *Crutchfield, *Burchett, *Harper)

Further consideration of House Bill No. 2854 previously considered on May 31, 2000, at which time it was reset for today's Message Calendar.

Senate Amendment No. 3

AMEND House Bill No. 2854 by adding the following new section immediately before the effective date section:

SECTION _____. Tennessee Code Annotated, Section 48-1-1-301(14)(G), is further amended by adding the following after the words "subsequent federal census":

, where payments are made in lieu of any property taxes which would otherwise be due on the full value of the properties if ownership is retained by the corporation,

Rep. Bowers moved that the House nonconcur in Senate Amendment(s) No(s). 3 to **House Bill No. 2854**, which motion prevailed.

Senate Amendment No. 2

AMEND House Bill No. 2854 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 48-101-301(14), is amended by deleting from subitem (G) the language "where the project is located in counties having a population in excess of eight hundred thousand (800,000) according to the 1990 federal census or any subsequent federal census,".

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

Rep. Bowers moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 2854**, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

***House Bill No. 3027** -- Public Contracts - Clarifies that state submission of bid or intent to award bid creates no rights or entitlement for public bidder; requires signature for bidding protest; modifies other public contract bidding provisions Amends TCA Title 12, Chapter 3 and Sections 12-4-109 and 12-4-110. by *Whitson. (SB3099 by *McNally)

Rep. Whitson moved that House Bill No. 3027 be reset for the Message Calendar on June 6, 2000, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGE

MOTION TO RECONSIDER

Rep. Ford moved to lift from the table the motion to reconsider action in passing Senate Bill No. 3086, which motion prevailed.

Senate Bill No. 3086 -- Home Improvement Contractors - Increases maximum licensing fee collected from home improvement contractor from \$100 to \$125. Amends TCA 62-37-106. by *Clabough. (*HB3019 by *Ford S, *Head)

THURSDAY, JUNE 1, 2000 — EIGHTY-FIFTH LEGISLATIVE DAY

Rep. Ford moved to reconsider action in passing Senate Bill No. 3086, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment(s) No(s). 1. On motion, Amendment(s) No(s). 1 was withdrawn.

Rep. Ford moved that **Senate Bill No. 3086** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	6
Present and not voting	2

Representatives voting aye were: Arriola, Baird, Bittle, Black, Bone, Bowers, Boyer, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, Westmoreland, White, Whitson, Williams, Wood, Mr. Speaker Naifeh -- 84.

Representatives voting no were: Beavers, Davidson, DeBerry L., West, Windle, Winningham -- 6.

Representatives present and not voting were: Armstrong, Langster -- 2.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILL RETURNED TO SENATE

Rep. Rinks moved that House Bill No. 2891 be returned to the Senate, which motion prevailed.

RULES SUSPENDED

Rep. Head moved that the rules be suspended to allow House Bill No. 2802 to be properly placed on notice for the Finance, Ways and Means Committee for the week of June 6, 2000, which motion prevailed.

RULES SUSPENDED

Rep. Black moved that the rules be suspended for the purpose of introducing House Resolution No. 262 out of order, which motion prevailed.

House Resolution No. 262 -- Naming and Designating - "Lions Club Day," June 3, 2000. by *Black.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Black, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Miller moved that the rules be suspended for the purpose of introducing House Resolution No. 264 out of order, which motion prevailed.

House Resolution No. 264 -- Memorials, Retirement - Harriet Nolan. by *Turner (Shelby), *Miller L.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Miller, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Miller moved that the rules be suspended for the purpose of introducing House Resolution No. 265 out of order, which motion prevailed.

House Resolution No. 265 -- Memorials, Retirement - Bessie Goodman. by *Turner (Shelby), *Miller L.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Miller, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Miller moved that the rules be suspended for the purpose of introducing House Resolution No. 266 out of order, which motion prevailed.

House Resolution No. 266 -- Memorials, Retirement - Barbara Abernathy Caldwell, by *Turner (Shelby), *Miller L.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Miller, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended to allow House Bill No. 3049 to be placed on the Regular Calendar on June 6, 2000, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1130: Rep(s). Kent as prime sponsor(s).

House Bill No. 1849: Rep(s). Bowers as prime sponsor(s).

House Bill No. 2184: Rep(s). Kent as prime sponsor(s).

House Bill No. 2185: Rep(s). Kent as prime sponsor(s).

House Bill No. 2802: Rep(s). Odom, Langster, Robinson, Garrett, Pruitt, Arriola, Briley and West as prime sponsor(s).

House Bill No. 3094: Rep(s). Bowers, Chumney and Brown as prime sponsor(s).

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 387; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

ENGROSSED BILLS

June 1, 2000

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 3123, 3362, also, House Joint Resolution(s) No(s). 620, 786, 800, 802, 803, 804, 805 and 806.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 713, 773, 774, 775, 776, 777, 778, 780, 782, 784, 785, 788, 789 and 791; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2296; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

ENGROSSED BILLS

June 1, 2000

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2324.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 792, 793, 794, 796, 797, 798 and 799; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2179; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

ENGROSSED BILLS

June 1, 2000

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 809.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 809; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2297; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3058; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

ENGROSSED BILLS

June 1, 2000

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 807.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3066; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3319; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 807; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2392; passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Bill No. 2392 -- Fireworks - Removes statutory prohibition against retail sale of Class C common fireworks in Shelby, Davidson, Knox and Hamilton counties. Amends TCA Section 68-104-112. by *Burchett. (*HB2273 by *Boyer, *Sharp)

MESSAGE FROM THE SENATE

June 1, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2749, 3289; also, Senate Joint Resolution(s) No(s). 536, 667, 872 and 885 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

SIGNED

June 1, 2000

The Speaker signed the following: Senate Bill(s) No(s). 2749, 3289; also, Senate Joint Resolution(s) No(s). 536, 667, 872 and 885.

MESSAGE FROM THE GOVERNOR

June 1, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 3299, without his signature.

MICHELLE LONG, Counsel to the Governor.

ENROLLED BILLS

June 1, 2000

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1192, 2369, 2594; House Joint Resolution(s) No(s). 713, 773, 774, 775, 776, 777, 778, 780, 782, 784, 785, 788, 789, 791, 792, 793, 794, 795, 796, 797, 798, 799, 807, 809; also, House Resolution(s) No(s). 262, 264, 265 and 266.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 1, 2000

The Speaker signed the following: House Bill(s) No(s). 1192, 2369, 2594; House Joint Resolution(s) No(s). 713, 773, 774, 775, 776, 777, 778, 780, 782, 784, 785, 788, 789, 791, 792, 793, 794, 795, 796, 797, 798, 799, 807, 809; also, House Resolution(s) No(s). 262, 264, 265 and 266.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

June 1, 2000

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2326, 2790, 2791, 2792, 2793, 3360 and 3364.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

CONSENT CALENDAR

June 1, 2000

The following local bills have been placed on the Consent Calendar for **June 6, 2000**: House Bill(s) No(s). 3363.

ROLL CALL

The roll call was taken with the following results:

Present 96

THURSDAY, JUNE 1, 2000 — EIGHTY-FIFTH LEGISLATIVE DAY

Representatives present were: Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 1:00 p.m., Tuesday, June 6, 2000.